



MESSAGES OF THE PRESIDENT
FERDINAND E. MARCOS
1965-1986

BOOK 10 | VOLUME 5
Administrative Orders Part 2



President Ferdinand E. Marcos, Tenth President of the Philippines, Sixth and Last President of the Third Republic and First President of the Fourth Republic.



MESSAGES OF THE PRESIDENT

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Messages of the President Book 10: Ferdinand E. Marcos

Volume 5 Part 2

Presidential Communications Development and Strategic Planning Office

<http://www.gov.ph>

<http://www.malacanang.gov.ph>

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ISBN 978-621-8032-15-6

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Published exclusively by

The Presidential Communications Development
and Strategic Planning Office

Office of the President of the Philippines

3/F New Executive Building,

Malacañan Palace, San Miguel, Manila

Tel.: 736-0719, 736-0718

Fax no.: 736-6167

Website: <http://www.pcdspo.gov.ph>

Book design by the Presidential Communications
Development and Strategic Planning Office

Published in the Philippines.

The National Library of the Philippines CIP Data

Recommended entry:

Philippines. President (Marcos: 1965-1986)

Messages of the President: Ferdinand E. Marcos, 1965-1986, Book 10,
Volume 5, Administrative Orders Part 2 / Presidential Communications
Development and Strategic Planning Office. – Manila: Presidential
Communications Development and Strategic Planning Office, 2016.
pages; cm

ISBN 978-621-8032-15-6

Contents: vol. 1. Official Week and Month in Review – vol. 2.
Appointments and Designations – vol. 3. Historical Documents and
Papers – vol. 4. Executive Orders – vol.5. Administrative Orders – vol. 6.
Proclamations – vol. 7. Other Issuances – vol. 8. Cabinet Minutes.

1. Marcos, Ferdinand E., President – Philippines – 1965-1986.
2. Presidents – Messages – Philippines. 3. Philippines – Politics and
government – 1965-1986. I. Title.

The Messages of the President Book 10: Ferdinand E. Marcos Volume 5 Part 2 was compiled and published by the Presidential Communications Development and Strategic Planning Office in May 2016 in Manila, Philippines.

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Volume 5 Part 2

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INTRODUCTION

As the President's chief message-crafting body, the Presidential Communications Development and Strategic Planning Office (PCDSPO), is mandated to provide strategic communication leadership and support to the Executive Branch, its composite agencies, and instrumentalities of government.

The PCDSPO is also mandated to act as custodian of the institutional memory of the Office of the President. One of our projects is the continuation of the series of books called the Messages of the President, started in 1936 by Jorge B. Vargas, Executive Secretary to President Manuel L. Quezon. The series was a wide collection of executive issuances, speeches, messages, and other official papers of the President. The volumes were intended to serve as the definitive compilation of presidential documents. The series was continued until the Quirino administration, although the series for the Presidential administrations of Presidents Quezon, Roxas, and Quirino were never completed.

In 2010, President Benigno S. Aquino III ordered the revival of the series and the constitution of a complete set, covering all 15 presidential administrations. With pride, we continue what Vargas began.

We would like to extend our gratitude to our partners for without whose gracious cooperation, this project would have not been possible.

A note on organization: Each presidential administration's messages are in book form, compiled and subdivided into volumes. The books are as follows:

- Book 1: Emilio Aguinaldo
- Book 2: Jose P. Laurel
- Book 3: Manuel L. Quezon
- Book 4: Sergio Osmeña
- Book 5: Manuel Roxas
- Book 6: Elpidio Quirino
- Book 7: Ramon Magsaysay
- Book 8: Carlos P. Garcia
- Book 9: Diosdado Macapagal
- Book 10: Ferdinand E. Marcos
- Book 11: Corazon C. Aquino
- Book 12: Fidel V. Ramos
- Book 13: Joseph Ejercito Estrada
- Book 14: Gloria Macapagal-Arroyo
- Book 15: Benigno S. Aquino III

Each book is subdivided into the following volumes:

- Volume 1: Official Week/Month in Review
 - Volume 2: Appointments and Designations
 - Volume 3: Historical Papers and Documents
 - Volume 4: Executive Orders
 - Volume 5: Administrative Orders
 - Volume 6: Proclamations
-

Volume 7: Other issuances

Volume 8: Cabinet minutes

We hope that this collection will be a useful and vital reference for generations to come.

PREFACE

On July 30, 2010, President Benigno S. Aquino III issued Executive Order No. 4, which effectively renamed what was previously called the Malacañang Museum into the Presidential Museum and Library (PML) and placed it under the supervision and control of the Presidential Communications Development and Strategic Planning Office (PCDSPO). The PML is responsible for preserving, managing, and promoting the history and heritage of the Philippine presidency. It is the principal historical and artistic repository in support of the institution of the presidency, for the benefit of the Republic and the Filipino people. In partnership with the PCDSPO, which has pioneered the publication of the Official Gazette of the Republic of the Philippines as a web archive and information website, the PML has taken this mandate and placed it on the cutting edge of the information age.

Much has been done over the past years, under the administration of President Aquino III, to digitize executive issuances, speeches, letters, and other presidential papers; and publish them online. The project is not limited to a single administration, nor does it discriminate. This collection, published as databases, as well as print and e-publications, includes documents from the presidency of Emilio Aguinaldo to the current Aquino administration. This represents the government's allegiance to transparency, continuity, and the fostering of an informed citizenry, as well as an effort, in earnest, to preserve the institutional memory of the Presidency. All this was done not just for the posterity, but for the current generation and the ongoing task of nation building.

The PML are proud partners of the Official Gazette and PCDSPO team, to whom we made the collections available. We sincerely hope that this series will serve as a vital reference to educators, students, journalists, lawyers, historians, and the public at large.

FOREWORD

This is the fifth volume of President Ferdinand E. Marcos' official papers, which constitutes the 10th book of the Messages of the President series. The series was started in 1936 by Executive Secretary Jorge B. Vargas, during the first year in office of Manuel L. Quezon, the first President of the Commonwealth of the Philippines. This volume collects President Marcos' Administrative Orders, which relate to particular aspects of governmental operations in pursuance of the President's duties as administrative head of the Executive Department.

BOOK 10

PRESIDENT FERDINAND E. MARCOS

President Ferdinand E. Marcos was the tenth President of the Philippines and was the sixth and the last President of the Third Republic of the Philippines. He assumed office on December 30, 1965. He was re-elected in 1969 becoming the first President to serve a second term. President Ferdinand E. Marcos was barred from running for a third term as president in 1973 so on September 23, 1972, by virtue of a presidential Proclamation No. 1081 which was signed on September 21, 1972, he declared Martial Law citing the threats of the Communists and Muslim insurgencies as justification which had come into force and would extend his rule beyond the constitutional two-term limit. After the lifting of Martial Law, on June 16, 1981, the First Presidential Elections of the Fourth Republic was held. President Ferdinand E. Marcos ran and won over the other candidates. On November 3, 1985, he announced that a presidential snap election would take place the following year due to escalating discontent from the public and pressure from foreign allies. The snap election was legalized with the passage of Batas Pambansa Blg. 883. The election was held on February 7, 1986. The Commission on Election (COMELEC) declared President Ferdinand E. Marcos as the winner, on the other hand, the National Movement for Free Elections (NAMFREL) declared Corazon C. Aquino. The failed election process resulted to the People Power Movement. President Ferdinand E. Marcos was President until February 25, 1986, Corazon C. Aquino was inaugurated as the President of the Philippines at Club Filipino, and afterwards, President Ferdinand E. Marcos held his inauguration at the Malacañan Palace. After the inauguration, the Marcos Family hurriedly fled the palace.

The Executive Issuances of President Ferdinand E. Marcos began with Administrative Order No. 1, signed on December 30, 1965 and ended with Executive Order No. 1093 that was signed on February 22, 1986.

President Ferdinand E. Marcos' documents were gathered from its official sources such as the Official Gazette of the Philippines; Malacañang Records Office's Book of Executive Issuances; Presidential Speeches Volume Nos. 1 to 10; Encounter with Destiny; and the Dictatorship and Revolution: Roots of People's Power.

The American Psychological Association (APA) style was used for the citation. The titles that have been provided by the researchers are enclosed in square brackets, considering that the exact wordings and its order were not verbatim from the document being described. Book titles are italicized while the speech titles are not. If in any case that the book title is the same as the title of the speech, it is transcribed in italics because it is the book title.

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President Ferdinand E. Marcos delivering a speech during the 1971 Independence Day ceremonies.



MESSAGES OF THE PRESIDENT
FERDINAND E. MARCOS
1965-1986

BOOK 10 | VOLUME 5
Administrative Orders Part 2



President Ferdinand E. Marcos addresses the Philippine Civic Action Group (PHILCAG) upon their return to the Philippines from Vietnam in December 1969.

ADMINISTRATIVE ORDERS

An Administrative Order relates to particular aspects of governmental operations in pursuance of the President's duties as administrative head of the Executive Department. The Administrative Orders of President Ferdinand E. Marcos began on December 30, 1965 with Administrative Order No. 1 and ended on February 1, 1986 with Administrative Order No. 504.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 260
IMPOSING ON MUNICIPAL JUDGE BENJAMIN A. ORIBE OF BAYABAS, SURIGAO DEL SUR,
A FINE EQUIVALENT TO ONE (1) MONTH'S PAY.

This is an administrative case filed by Juan M. Ordoña against Municipal Judge Benjamin A. Oribe of Bayabas, Surigao del Sur, for ignorance of the law, incompetence misconduct and persecution. The case was formally investigated by District Judge Reynaldo P. Honrado of the Court of First Instance of Surigao del Sur.

The complainant alleges that on January 30, 1968, respondent judge received and docketed Criminal Case No. 97 for robbery against him, his tenant Lucio Pacheco and acting chief of police Crispin Larena of Bayabas, Surigao del Sur; that on the previous day (January 29), acting chief of police Crispin Larena had filed a criminal complaint for qualified theft against Narciso Orbeta and Cenas Talikig for taking coconuts from complainant's land and making them into copra; that complainant, accompanied by Lucio Pacheco and Crispin Larena, took the copra contained in two sacks from Narciso Orbeta and deposited them in the office of the chief of police; that respondent did not give due course to Larena's complaint, for which reason it was refiled by complainant on March 25, 1968; and that respondent dismissed the complaint on April 15, 1968.

In his answer filed with the investigating District Judge, respondent states that a warrant of arrest was issued against the three (3) accused in Criminal Case No. 97 after preliminary examination of complainant Narciso Orbeta and his witnesses; that the criminal complaint of Crispin Larena was filed on February 2, 1968, but was not accompanied with affidavits nor did Juan Ordoña or his witnesses appear, in view of which the same was not acted upon; that it was only on March 25, 1968, during the preliminary investigation of Criminal Case No. 97 that Juan Ordoña and Lucio Pacheco submitted their affidavits; and that after examining the witnesses he dismissed Larena's complaint in his order of April 15, 1968.

The investigating Judge finds that respondent not only failed to docket Larena's complaint but also failed to conduct the preliminary examination provided in Rule 112, Section 5, of the Revised Rules of Court, and that after dismissing the complaint he allowed complainant to take the records of the case. He therefore recommends that respondent be reprimanded and warned for his negligence.

During the investigation respondent admitted that on January 29, 1968, Crispin Larena, the acting chief of police, filed a criminal complaint for qualified theft against Narciso Orbeta and Cenas Talikig, together with the affidavits of complainant and Lucio Pacheco as witnesses; and that he did not give due course thereto because the witnesses were not present (t.s.n., pp. 60-62).

Narciso Orbeta, testifying as respondent's witness, also admitted that he filed his complaint for robbery although he saw in the municipal building the copra taken from him (t.s.n., p. 92); and that he had been previously convicted of theft of coconuts and of large cattle (t.s.n., pp. 92-93), as alleged in the criminal complaint filed against him.

It is thus shown by respondent's evidence that when Criminal Case No. 97 was filed before him on January 30, 1968, a criminal complaint for qualified theft had already been filed before

him on the previous day by the acting chief of police, who was one of the accused in Criminal Case No. 97, against Narciso Orbeta, the complainant in said criminal case; and that had he conducted a preliminary investigation of the complaint for qualified theft, he would not have found sufficient prima facie evidence for the issuance of the warrant of arrest in Criminal Case No. 97.

The allegations in the criminal complaint for qualified theft and its supporting affidavits constituted a defense to the complaint for robbery in Criminal Case No. 97, since, according to the allegations, complainant, one of the accused therein, was the owner of the copra taken from Narciso Orbeta. The allegations should, therefore, have been inquired into by respondent at the preliminary investigation conducted by him in Criminal Case No. 97.

Although respondent personally examined Narciso Orbeta as the basis for the issuance of the warrant of arrest in Criminal Case No. 97, the facts elicited in the examination were the same as those stated in Orbeta's affidavit supporting the complaint. No reference was made to the allegations in the criminal complaint for qualified theft against Orbeta and the affidavit of complainant filed the previous day. Respondent thus failed in his duty to ask searching questions in his examination as required by Section 87 of the Judiciary Act.

Accordingly, respondent not only failed to act on the criminal complaint filed by acting police chief Larena, as required by law, but was also negligent in issuing the warrant of arrest in Criminal Case No. 97 without sufficient preliminary examination. For this reason, the recommendation of the District Judge-Investigator that respondent be reprimanded and warned is believed rather lenient.

Wherefore, and as recommended by the Secretary of Justice, respondent Municipal Judge Benjamin A. Oribe is hereby fined in an amount equivalent to one (1) month's pay and warned that a repetition of similar irregularities will be dealt with more severely.

Done in the City of Manila, this 12th day of December, in the year of Our Lord, nineteen hundred and seventy.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) ALEJANDRO MELCHOR

Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1970). [Administrative Order Nos.: 200 - 263]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 261

REMOVING MR. ERNESTO A. ATIENZA FROM OFFICE AS SENIOR SPECIAL ATTORNEY,
OFFICE OF THE AGRARIAN COUNSEL, NAGA CITY.

This is an administrative case filed by Messrs. Eulogio and Fermin Tayas (brothers) against Mr. Ernesto A. Atienza, senior special attorney, Office of the Agrarian Counsel, Naga City, for dishonesty and conduct unbecoming a public official. The case was investigated by a supervising special attorney of the Office of the Agrarian Counsel (OTAC).

It appears that respondent was counsel for complainants as defendants in CAR Case No. 262-CN-67, Daet, Camarines Norte, for ejectment filed by Mrs. Felisa Villamonte. On March 12, 1968, the Court rendered a decision evicting the Tayas brothers from their landholding in Bagacay, Labo, Camarines Norte, and ordering Mrs. Villamonte to pay them ₱1,582.50 as indemnity for their improvements thereon. On March 30, 1968, Mrs. Villamonte filed a motion for reconsideration of the decision but before the same could be heard the parties on May 30, 1968, entered into a compromise agreement whereby complainants, for a specified monetary consideration, waived their claims to the award, while Mrs. Villamonte agreed to withdraw her motion. The agreement was approved by the Court on the same day.

On June 11, 1968, complainants filed with the Court a petition for reconsideration of and/or relief from its resolution dated May 30, 1968, on the ground that respondent committed fraud and abuse of confidence as their compromise negotiator, which petition was, however, denied on May 26, 1969. Similarly, complainants filed with the Commissioner of Civil Service a verified complaint charging respondent with (1) requesting transportation money from them every time there was a hearing of CAR Case No. 262-CN-67; (2) misleading them into signing the compromise agreement that they would receive the whole amount of ₱1,582.50 awarded them by the Court; and (3) appropriating ₱250 as service fee out of the ₱700 actually received by them.

As regards the first charge (a) Eulogio Tayas testified that respondent requested from him transportation money every time there was a hearing of CAR Case No. 262-CN-67; and (b) Atty. Concepcion R. Noble, Acting OTAC officer in charge, Region V, Naga City, declared that respondent's treatment of tenants who had pending cases in the Court of Agrarian Relations depended upon the amount given him and that he was a habitual borrower in constant need of transportation money.

Also submitted were affidavits of certain tenants-clients of respondent from Camarines Sur, namely, Nemesio Babia of Barrio San Rafael, Buhi, Antonio Pragata and Claudio Galon of Himaa, Pili, Telesporo Ravina of San Ramon, Pamplona, and Cecilio Bayrante of San Antonio, Ocampo, averring that respondent demanded from them transportation and hotel expenses.

Concerning the second charge (a) Eulogio Tayas declared that respondent made him sign papers, i.e. the "recibo" and the compromise agreement, which were not first read to him; and (b) Fermin Tayas testified that he signed the papers first before the contents were explained to them by respondent.

Anent the third and last charge, (a) Eulogio Tayas claimed that he received ₱250 only from Atty. Atienza; and (b) Fermin Tayas admitted that he did not actually see Atty. Atienza get ₱250 from the ₱700 but was informed by his brother Eulogio of the amount received by him from respondent.

Respondent, on the other hand, made a blanket denial of the charges against him, averring as a defense that the Tayas brothers were duly informed of the CAR decision awarding them damages in the amount of ₱1,582.50; that the Tayases voluntarily entered into a compromise agreement and signed the receipt of payment in the presence of witnesses before whom every line or phrase in the document was read and explained; that he (respondent) helped the parties by conducting the negotiations of the compromise agreement between the Tayases and Mrs. Villamonte; and that he prepared the compromise agreement and the receipt of payment on May 29, 1969.

Other than denying the first charge, respondent offered no proof in support thereof. He, however, adduced evidence in support of his defense to the last two charges, to wit: (a) testimony of Mr. Dominador Policarpio who stated that he was witness to the payment of money when seven bundles of ₱100 per bundle were turned over to Eulogio Tayas and that Atty. Atienza read the contents of the “recibo” and the compromise agreement to complainants; (b) affidavit of Mrs. Felisa Villamonte which corroborated respondent’s averments; and (c) the receipt of payment for the full amount of ₱700 actually signed by the Tayas brothers.

The Agrarian Counsel concluded that the complainants failed to establish their charges against the respondent and recommended his exoneration.

After going over the records of the case, I find the stand of the Agrarian Counsel well taken insofar as the second and third charges are concerned. I disagree, however, with his conclusions on the first charge (a) that the testimony of Eulogio Tayas to the effect that respondent on several occasions obtained money from him in connection with the hearings of the case in question was uncorroborated; (b) that his testimony was untrustworthy because of his previous criminal conviction; and (c) that as against the uncorroborated testimony of Eulogio Tayas the denial of respondent should be given more credence.

The spontaneous testimony of Eulogio Tayas was given without assistance of counsel. His statements were unequivocal and positive. As against the bare denial of respondent I consider the positive testimony of Eulogio Tayas more deserving, it being axiomatic that a mere denial cannot prevail over positive testimony. Furthermore, it would not be fair to take the previous conviction of Eulogio Tayas as depreciatory of the value of his testimony in the face of his positive assertion, which was not otherwise controverted by the respondent.

Respondent, as the records disclose, admitted that he found difficulty in stretching his monthly pay which was not enough and that he had outstanding accounts and small loans from other friends. This admission which, on first impression, would look as having no bearing at all on the first charge, on closer examination tends to bear out the assertion of Eulogio Tayas that respondent asked him money “every time there was a hearing.” Besides, the testimony of Atty. Noble that respondent’s attitude towards tenants-clients depended on the amount of money given to him was never controverted by respondent or by any of his witnesses. Atty. Noble’s testimony, to my mind, serves as basis for a reasonable inference that respondent must have, as claimed by Eulogio Tayas, demanded money from him during the hearings of his case, a fact which the aforementioned tenants-clients of respondent had attested to in their affidavits subscribed before OTAC officials, among others. It may also be noted that these affidavits, which were offered in evidence, were not objected to by respondent. Hence, the contents thereof must perforce be given due weight.

The offense committed by respondent clearly shows that he is guilty of conduct unbecoming a public official and that he is unfit to remain in the public service.

Wherefore, and as recommended by the Secretary of Justice, Mr. Ernesto A. Atienza is hereby removed from office as senior special attorney, Office of the Agrarian Counsel, Naga City, effective upon receipt of a copy of this order.

Done in the City of Manila, this 12th day of December, in the year of Our Lord, nineteen hundred and seventy.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **ALEJANDRO MELCHOR**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1970). *[Administrative Order Nos.: 200 - 263]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 262
IMPOSING ON MUNICIPAL JUDGE FELIPE TUAZON OF MINALIN, PAMPANGA, A FINE
EQUIVALENT TO ONE (1) MONTH'S PAY.

This is an administrative case filed by Mrs. Margarita Prado de Fabricante against Municipal Judge Felipe Tuazon of Minalin, Pampanga, for alleged (1) willful failure to pay just debts and (2) gambling activities. Complainant maintains that respondent's actuations constitute a violation of Articles 19, 20 and 21 of the New Civil Code on Human Relations. The case was investigated by District Judge Andres C. Aguilar after respondent submitted his answer to the charges and failed to appear at the formal investigation thereof.

As regards the first charge, it appears that complainant obtained in Civil Case No. 168101 of the City Court of Manila a judgement based upon a promissory note against respondent and his wife for the sum of ₱2,500 "with interest thereon at the legal rate from May 6, 1967, until the whole amount shall have been fully paid, plus the sum of ₱200.00 as attorney's fees." The writ of execution issued in the case was returned unsatisfied, as no property was found registered in the names of defendants.

Respondent's answer alleges, however, that his offer to pay the indebtedness on installment basis was rejected by complainant.

Anent the second charge, the District Judge-Investigator found the testimony of Mrs. Emerlinda F. David, daughter of complainant, that she saw respondent play "monte" and "heard" that he indulged in this game on other occasions insufficient to prove that he in fact did gamble.

It has been duly established that respondent failed to pay his indebtedness of ₱2,500 to complainant. While his answer alleges an offer to complainant of a mode of payment thereof, respondent did not, however, endeavor to prove the same. Instead, he chose to ignore the Investigator's summons. He also allowed a default judgement to be entered against him in Civil Case No. 168101. These actuations of respondent strikingly reveal a disregard and disrespect for court orders and processes and an intention to avoid a compromise settlement of his obligations.

Wherefore, and as recommended by the Secretary of Justice, Mr. Felipe Tuazon is hereby fined in an amount equivalent to one (1) month's pay and warned that repetition of similar acts will be dealt with more severely. Considering that nonpayment of his obligations has the effect of detracting public confidence in his integrity, respondent is also directed to find ways and means of settling the same.

Done in the City of Manila, this 12th day of December, in the year of Our Lord, nineteen hundred and seventy.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1970). *[Administrative Order Nos.: 200 - 263]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 263
CREATING THE SPECIAL RIZAL DAY CELEBRATION COMMITTEE.

In order to ensure the successful celebration throughout the Philippines of this year's death anniversary of Dr. Jose P. Rizal on December 30, there is hereby created a special committee to take charge of all arrangements for the festivities composed of the following:

Secretary Onofre D. Corpuz	Chairman
Secretary Alejandro Melchor	Member
Press Secretary Francisco Tatad	Member
Budget Commissioner Faustino Sy-Changco	Member
Secretary Manuel Syquiao	Member
Labor Undersecretary Raoul Inocentes	Member
Assistant Executive Secretary Flores Bayot	Member
Acting Undersecretary Juan Manuel	Member
OEC Deputy Administrator Severino Salang	Member
Mayor Antonio J. Villegas	Member
BTTI Commissioner Gregorio Araneta II	Member
Justice Jose Ma. Paredes (Knights of Rizal)	Member
Mrs. Carmen Guerrero Nakpil (National Historical Commission)	Member
Mrs. Leticia de Guzman (Civic Assembly of Women of the Philippines)	Member
Mr. Teodoro F. Valencia	Member
Mr. Aguinaldo C. Maaba	Member-Secretary

The Committee shall meet at the call of the Chairman and for the purpose of discharging its functions, may create such sub-committees as may be necessary.

The Committee is hereby authorized to call upon any department, bureau, office, agency or instrumentality of the Government, including government-owned or controlled corporations, for such assistance as it may need in discharging its duties and functions.

Done in the City of Manila, this 15th day of December, in the year of Our Lord, nineteen hundred and seventy.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1970). *[Administrative Order Nos.: 200 - 263]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 264
REMOVING MR. ANGEL S. HUERTAS FROM OFFICE AS MUNICIPAL JUDGE OF RAGAY,
CAMARINES SUR.

This is an administrative case filed by Dr. Diosdado Olisea against Municipal Judge Angel S. Huertas of Ragay, Camarines Sur, for (1) grave abuse of discretion, (2) ignorance of the law, (3) oppression, (4) grave misconduct in office, (5) dishonesty “amounting to moral turpitude” and (6) failure to render decisions on cases submitted for decision for more than one year.

For insufficiency of evidence, investigating District Judge Augusto L. Valencia found respondent blameless as to charges 3, 4 and 6 but guilty of the others, as specified hereunder, and recommended that he be dismissed from the service, in which the Secretary of Justice concurs.

I. Grave Abuse of Discretion

A. In *People vs. Maala and Castelo* (Criminal Case No. 633 for theft of large cattle) the respondent issued two conflicting orders in the preliminary investigation thereof. The first order (Exh. A) remanded the case for trial to the Court of First Instance as far as Castelo, who admitted the offense charged, was concerned, while the second (Exh. B) dismissed the case against Maala and Castelo because of the absence of a *prima facie* case. Although both orders were dated September 30, 1964, it is evident that Exhibit B was issued much later than Exhibit A, it appearing that Maala was released on October 1, 1964 (Exh. JJ), by reason of Exhibit A which declared that there was no *prima facie* case against him. On the other hand, Castelo remained a detention prisoner from August 22 to November 28, 1964.

Likewise, in the same case respondent prepared two sets of “Findings of Facts in the Preliminary Investigation,” which were in conflict with each other. One (Exh. C) stated that both Castelo and Maala pleaded not guilty to the offense and the other (Exh. C-1), that Castelo pleaded guilty to the charge.

B. In Criminal Case No. 689 (for theft of large cattle) the respondent on January 26, 1966, sentenced the accused to imprisonment for a period of from 4 years, 2 months and 1 day to 4 years, 9 months and 10 days and to pay the costs (Exh. E). The decision was received by the accused on February 11, 1966. On February 22, 1966, the accused filed a notice of appeal, but the same was later withdrawn in a motion for new trial dated February 24, 1966. However, respondent did not conduct a new trial and instead rendered an amended decision on April 25, 1966, reducing the original penalty to 6 months and 1 day to 1 year, 1 month and 10 days plus costs (Exh. G). The records of said case do not contain the original of the amended decision.

II. Ignorance of the law

A. The Indeterminate Sentence Law is applicable only to cases where the maximum term of imprisonment exceeds one year (Sec. 2, Act No. 4103, as amended). However, respondent in several

cases (Exhs. H, W, Z, A-A, E-E, G-G and M-M) applied said law although the respective accused were sentenced to imprisonment for less than one year.

B. Respondent assumed jurisdiction over cases for attempted homicide (Exhs. C-C and D-D), frustrated homicide (Exhs. X and E-E) and robbery involving the sum of ₱312.60 (Exh. 1) by trying them on the merits, although such cases are obviously beyond his jurisdiction, in view of the nature of the offenses charged and the duration of the penalties prescribed by law therefor. At most, his jurisdiction was limited to conducting preliminary investigations of those cases.

C. The crime of direct assault is punishable by imprisonment and fine (Art. 148, Revised Penal Code). But in *People vs. Magdaraog* for direct assault (Exh. FF) respondent sentenced the accused to imprisonment only without imposing a fine on him. Moreover, the sentence imposed was even below the minimum of the duration of the imprisonment provided for by law for said felony, which is prision correccional in its minimum period.

D. In Criminal Case No. 615 (Exh. W) for serious physical injuries, the respondent sentenced the accused to a prison term not exceeding 6 months and to indemnify the aggrieved party in the sum of ₱500, “but if the accused fails to pay said amount, he shall not serve imprisonment for non-payment of the same.” The quoted portion of the decision is contrary to Section 39 of the Revised Penal Code, which provides for subsidiary imprisonment should the convict fail to pay his pecuniary liabilities, among which is reparation of the damage caused or indemnification of the consequential damages.

III. Dishonesty

The records also show that prior to his appointment as municipal judge, respondent was found guilty of dishonesty (falsification of daily time records) and gross misconduct in Administrative Case No. R-9384 and was dismissed as an employee of the Fiber Inspection Service by the Commissioner of Civil Service whose decision was affirmed by the Civil Service Board of Appeals on January 21, 1956 (Exh. R). Respondent did not disclose the same in his application for the position of judge or in his papers submitted to the Commission on Appointments.

In view of the foregoing, I find respondent guilty of the charges above discussed which warrant his dismissal from the service.

Wherefore, and as recommended by the Secretary of Justice and the District Judge, Mr. Angel S. Huertas is hereby removed from office as municipal judge of Ragay, Camarines Sur, effective upon receipt of a copy of this order.

Done in the City of Manila, this 1st day of January, in the year of Our Lord nineteen hundred and seventy-one.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) PONCIANO G. A. MATHAY

Acting Assistant Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1971). *[Administrative Order Nos.: 264 - 316]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 265
REMOVING MR. RUFINO S. CORTES FROM OFFICE AS MUNICIPAL JUDGE OF MALLIG,
ISABELA.

This is an administrative case initiated by Arturo Binag against Municipal Judge Rufino S. Cortes of Mallig, Isabela, for dishonesty, oppression, misconduct, notoriously disgraceful or immoral conduct, coercion, etc. The case was formally investigated by the District Judge of Isabela.

The record discloses that on the night of July 4, 1966, two men went to the house of complainant and demanded that he sign a prepared bail bond of Roman Oanes who was accused of homicide, frustrated homicide and slight physical injuries in the Court of First Instance of Isabela. Complainant refused to sign the bail bond, as the ownership of his land to be used in the undertaking was being questioned by his brother and two sisters. Whereupon, the two men pointed their firearms at complainant and told him that respondent judge, who was at the time inside a jeep a little distance away from them, was assuming responsibility for the bail bond. Sensing that he was in danger, complainant signed the bail bond and thereafter approached respondent and pleaded that he be excused from being a bondsman of Oanes. Respondent, however, confirmed the armed men's assurance and further told complainant that nothing would happen to the bail bond because it was unsigned by the principal (Roman Oanes) and that such defect would ultimately nullify the undertaking.

Contrary to respondent's assurance, an order of forfeiture of the bail bond was issued by the court after the accused had jumped bail. When complainant received a copy of the forfeiture order he immediately informed respondent who, in turn, merely advised him to secure the services of a lawyer.

The District Judge-Investigator was justified in giving weight and credence to the testimony of Municipal Judge Antonio Dasalla of Paracelis, Mountain Province, one of the witnesses presented by respondent, that his services were contracted by former Mayor Eduardo Siababa of Mallig, Isabela, to avoid or reduce the liabilities of bondsmen Rafael Bagamaspad and Simplicio Granado only. This testimony discredited respondent's claim that complainant voluntarily acted as one of the bondsmen of Roman Oanes upon Mayor Siababa's request. Moreover, respondent did not present the Mayor as his witness to refute Judge Dasalla's testimony.

In view of the foregoing, I find respondent guilty of (1) coercion for conspiring with lawless elements in forcing complainant to be an unwilling bondsman of Oanes and (2) dishonesty amounting to conduct unbecoming a municipal judge for not disclosing to the clerk of court that Oanes' bail bond was defective for lack of his signature thereon as principal, in violation of the trust reposed on him by the Court of First Instance of Isabela authorizing him to qualify the bondsmen of the accused, and concealing the same to appease complainant who was very apprehensive of having signed the bail bond in question.

Wherefore, and as recommended by the Secretary of Justice, Mr. Rufino S. Cortes is hereby removed from office as municipal judge of Mallig, Isabela, effective upon receipt of a copy of this order.

Done in the City of Manila, this 1st day of January, in the year of Our Lord, nineteen hundred and seventy-one.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) PONCIANO G. A. MATHAY

Acting Assistant Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1971). *[Administrative Order Nos.: 264 - 316]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 266
SUSPENDING MR. ANGEL MATONDO JR. FROM OFFICE AS ASSISTANT PROVINCIAL
FISCAL OF DAVAO DEL NORTE.

This is an administrative case filed by Mr. Benjamin Cendaña, Regional Manager of the Government Service Insurance System (GSIS) of Davao, against Assistant Provincial Fiscal Angel Matondo Jr. of Davao del Norte for conduct unbecoming a public officer. The case was formally investigated by a special prosecutor of the Department of Justice.

The following facts appear duly established:

In the evening of July 10, 1964, the GSIS Davao Branch held a formal affair with “Pista sa Nasyon” motif at the PTA auditorium. The affair was intended solely for GSIS officials and employees and members of their families as well as special guests who had been issued invitations and tickets therefor.

About 10:30 of that evening, while the affair was going on, respondent who was drunk at the time and accompanied by a group of men who were likewise drunk, accosted the GSIS security guard then posted at the auditorium entrance and tried to force his way inside. Despite explanations given to respondent by GSIS officials that only guests with tickets were allowed to enter the auditorium, respondent insisted on going through by arguing loudly and angrily that he was a fiscal and demanded that he be allowed to enter even without a ticket. He challenged the guard and a GSIS employee, who intervened, to a fight. The unbecoming conduct of the respondent attracted many guests and when respondent succeeded in forcing himself in together with his drunk companions an atmosphere of fear and apprehension prevailed causing many people in the auditorium to leave untimely. Respondent also went in and out of the auditorium challenging everyone to fight him.

I find respondent guilty as charged.

Wherefore, and as recommended by the Secretary of Justice, Mr. Angel Matondo Jr. is hereby suspended from office as Assistant Provincial Fiscal of Davao del Norte for three (3) months without pay, effective upon receipt of a copy of this order, with a warning that repetition of similar acts will be dealt with more severely.

Done in the City of Manila, this 1st day of January, in the year of Our Lord, nineteen hundred and seventy-one.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1971). *[Administrative Order Nos.: 264 - 316]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 267
CREATING A COMMITTEE TO FORMULATE THE OVERALL PROGRAM OF
AGRICULTURAL RESEARCH IN THE PHILIPPINES.

By virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby create an Executive Panel which shall formulate the overall policy and organization for agricultural research in the Philippines, composed of the following:

The Chairman of the National Economic Council.....	Chairman
The Chairman of the National Science Development Board	Member
The Undersecretary for Agriculture, Department of Agriculture and Natural Resources	Member
The Chairman of the Board of Investments.....	Member
The Vice President for Agriculture and Forestry, University of the Philippines.....	Member

The Committee is hereby authorized to call upon any department, bureau, office, agency or instrumentality of the government for such assistance as it may need towards the immediate accomplishment of its work. The Committee is also authorized to organize any technical group essential in the undertaking of its function.

The Committee shall submit to this Office its final report on a national program and policy of agricultural research for guidance of all agricultural research institutions by the second week of February 1971.

Done in the City of Manila this 29th day of January, in the year of our Lord, nineteen hundred and seventy-one.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1971). *[Administrative Order Nos.: 264 - 316]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

RESIDENCE OF THE PRESIDENT
OF THE PHILIPPINES
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 268
CREATING A TECHNICAL COMMITTEE TO DETERMINE THE TRUE AND CORRECT
BOUNDARIES BETWEEN ZAMBOANGA CITY, ZAMBOANGA DEL NORTE AND
ZAMBOANGA DEL SUR.

By virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby create a technical committee to undertake the necessary study, investigation and survey of and determine the correct boundary lines between Zamboanga City, Zamboanga del Norte and Zamboanga del Sur, composed of the following or their duly authorized representatives:

Director, Bureau of Coast & Geodetic Survey	- Chairman
City Engineer, Zamboanga City	- Member
District Forester of Zamboanga del Norte	- Member
District Land Officer of Zamboanga del Norte	- Member
Highway District Engineer of Zamboanga del Norte	- Member
District Forester of Zamboanga del Sur	- Member
District Land Officer of Zamboanga del Sur	- Member
Highway District Engineer of Zamboanga del Sur	- Member

The Committee may call upon any department, bureau, office, agency or instrumentality of the government for such assistance as it may need in the performance of its task.

The Committee shall complete its work and submit to the City Council of Zamboanga City and Provincial Boards of the provinces involved a report of its findings within a period of six (6) months from the date hereof.

All expenses incurred by the Committee in the execution of its task shall be borne share and share alike by the aforementioned local governments.

Done in the City of Manila, this 1st day of February, in the year of Our Lord, nineteen hundred and seventy-one.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1971). *[Administrative Order Nos.: 264 - 316]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 269
AMENDING ADMINISTRATIVE ORDER NO. 215 DATED APRIL 22, 1970, ENTITLED
“CREATING AN EXECUTIVE COMMITTEE FOR THE 21ST COLOMBO PLAN
CONSULTATIVE COMMITTEE MEETING.”

I, FERDINAND E. MARCOS, President of the Philippines by virtue of the powers vested in me by law, do hereby amend Administrative Order No. 215 dated April 22, 1970, entitled “Creating an Executive Committee for the 21st Colombo Plan Consultative Committee Meeting,” by including the following officials:

Honorable JOHNNY ARANETA
Deputy Director-General for Investments
Presidential Economic Staff

Honorable FRANCISCO O. OIRA
Assistant Secretary for Fiscal Affairs
Department of Foreign Affairs

Mr. Araneta shall act as Deputy Secretary-General for Proceedings and Mr. Oira shall act as Deputy Secretary-General for Operations of the Colombo Plan Secretariat.

Done in the City of Manila, this 10th day of February, in the year of Our Lord, nineteen hundred and seventy one.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1971). *[Administrative Order Nos.: 264 - 316]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 270
FURTHER REDEFINING THE FUNCTIONS AND ADMINISTRATIVE STATUS OF THE
INFRASTRUCTURE OPERATIONS CENTER CREATED UNDER ADMINISTRATIVE ORDER
NO. 113, SERIES OF 1968.

In addition to its present functions the Infrastructure Operations Center (IOC) created under Administrative Order No. 113, series of 1968, as amended by Administrative Order No. 216, series of 1970, shall in cooperation with other government agencies and instrumentalities undertake, evaluate or review preliminary and feasibility studies concerning national infrastructure programs and projects, and shall coordinate such activities of all government agencies and instrumentalities on matters involving project preparation and studies.

The IOC shall, in addition to its present personnel designated, detailed or otherwise appointed under Administrative Order No. 113, series of 1968, have authority to enlist the services of technical personnel from other government offices or government-owned or controlled corporations on detail basis or recruit such personnel as may be needed in the performance of these functions. All positions herein authorized are hereby declared to be highly technical and/or primarily confidential in nature.

Administrative Order No. 113, series of 1968, as amended is hereby further amended accordingly.

Done in the City of Manila, this 10th day of February, in the year of Our Lord, nineteen hundred and seventy-one.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1971). *[Administrative Order Nos.: 264 - 316]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 271
ESTABLISHING A DEVELOPMENT PERFORMANCE EVALUATION SYSTEM TO IMPROVE
GOVERNMENT PERFORMANCE IN ATTAINING DEVELOPMENT OBJECTIVES.

WHEREAS, there is an urgent need to revitalize the government structure to meet the changing directions in development objectives for the coming decade;

WHEREAS, the present organization of government, while having steadily improved in performance over the years, still exhibits shortcomings with respect to orientation for development;

WHEREAS, the need to effect more substantial improvements in government performance has become particularly urgent by reason of the increasing political awareness among our People, especially the young; and

WHEREAS, some mechanism must therefore be activated, at the level of the President's Cabinet, which can effectively perform the functions of contemporaneous review and analysis, and of coordination and control, of the entire development efforts of the National Government;

NOW THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby establish a Development Performance Evaluation System.

Organizational Framework

The Development Performance Evaluation System shall encompass the entire spectrum of development activities of government (social, economic, political, and national security). To this end, implementation of the System shall rest primarily on the following entities:

1. The Cabinet, which shall set broad guidelines and conduct periodic reviews of operations;
2. The Development Management Staff, which shall manage the day-to-day operation of the system;
3. A Secretariat, which shall be composed of the PES-DND Computer Center, the Planning and Statistical Research Office of the Presidential Economic Staff, and the existing Cabinet Secretariat; and
4. Performance Teams, the number and compositions of which shall be determined by the Cabinet and/or the Development Management Staff.

The relationship among these entities is shown in the Chart attached as Annex A.

Concept of Operation

The System will revolve around a series of performance audits, which will be conducted on a regular basis on all government entities concerned with development. Performance Teams will be constituted for this purpose within the flexible staffing pattern authorized for the Development Management Staff.

Performance Teams shall be organized along four general categories of government entities to be audited, as follows: (a) Project-oriented organizations, (b) Financial organizations, (c) Justice and Social Services, and (d) Government operations not classified under the first three categories. These Teams shall draw the necessary expertise for each of these categories from both the government and private sectors, and each shall have at least two members from the entity being audited.

A Cabinet official not directly involved with the entity being audited shall be designated to head each Team, and he shall actively participate in the audit. In order not to overburden the exercise of his regular duties, however, at least one other high-level, non-Cabinet official shall be assigned to assist him supervise the Team.

Role of the Cabinet

The active involvement of the Cabinet in the Development Performance Evaluation System is designed to catalyze and effect the needed revitalization and reorientation of the government structure. Effectiveness of the System will require, among other things, that the Cabinet:

1. Be development-oriented;
2. Serve not only as a policy formulating body, meeting only when convened by the President; but also serve as a review body, meeting regularly to assess, on a continuing basis, whether national policies and objectives have in fact been translated into effective, consistent, and coordinated programs of government; and
3. Members, through regular meetings and active participation in performance audits, each learn to appreciate problems of government departments/agencies other than his own, and to subordinate institutional biases to the higher requirement of maintaining a truly national perspective in the solution of national problems and in the attainment of development objectives.

As a top-level Executive Team, the Cabinet shall have the following functions relative to the System:

1. To formulate broad guidelines and criteria for evaluating development performance;
2. To meet regularly to evaluate performance in accordance with the guidelines and criteria established, identify problem areas and their causes, and recommend appropriate measures;
3. To facilitate inter-agency coordination in program implementation;
4. To implement, or cause to be implemented, with vigor and determination, directives issued by the President to correct deficiencies/anomalies unearthed by Performance Teams; and
5. To perform such other related functions as the President may from time to time direct.

Role of the Development Management Staff

The basis for the creation of the Development Management Staff, and its organizational framework and functions are as prescribed in Executive Order No. 250, series of 1970. Pursuant thereto, it shall have the following specific functions relative to the System:

1. To manage the day-to-day operation of the Development Performance Evaluation System;
2. To organize Performance Teams with the expertise necessary to conduct effective performance audits;

3. To translate broad guidelines and criteria established by the Cabinet into specific guidelines, criteria, and checklists for use of the Performance Teams;
4. To establish a reporting system consistent with the aims of performance evaluation; and
5. To compile into an Operations Manual the detailed set of rules and procedures that will govern the Development Performance Evaluation System.

All departments, bureaus, offices, agencies, and instrumentalities of the Government, including government owned or controlled corporations, are hereby directed to cooperate with and assist the Performance Teams in accomplishing their assigned tasks, and to reorient their activities towards the prompt and smooth implementation of the Development Performance Evaluation System.

Done in the City of Manila, this 15th day of February, in the year of our Lord, nineteen hundred and seventy-one.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

Reference: Development Performance Evaluation System

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1971). *[Administrative Order Nos.: 264 - 316]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 272
REQUIRING ALL DEPARTMENTS, BUREAUS, OFFICES, AGENCIES AND
INSTRUMENTALITIES OF THE GOVERNMENT TO ADOPT AND IMPLEMENT A SYSTEM OF
ROTATION AND ASSIGNMENT OF PERSONNEL.

WHEREAS, under the present career civil service system, many talented and capable employees cannot be fully utilized because of the rigid and constricting rules on such matters as tenure, seniority, length of service, next-in-rank, etc.;

WHEREAS, in order to revitalize the public service and gear the bureaucracy, in harmony with other sectors of society, towards the goal of national development, there is need to devise, develop and implement a system by which the talents, training, capacities and abilities of employees or personnel in the civil service may be availed of and used in whichever position and for whatever functions they are needed without directly violating, and within the bounds of, the existing laws and rules on the civil service;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, and as the Administrative Head of the government, do hereby order and direct that a system of intra-department, intra-agency and inter-department, inter-agency rotation and assignment of personnel and employees belonging to the career civil service should be adopted and effected by all departments, bureaus, agencies, offices and instrumentalities of the government.

In this regard, there shall be close coordination between the departments and agencies as to their personal needs or requirements, and the actual rotation or assignment of the personnel concerned shall be effected in the manner provided in a Memorandum of Agreement which shall hereinafter be entered into between and among departments, where the rotation or assignment involved is from one department to another, and between and among bureaus and offices within a department, where the rotation or assignment involved is between or within such bureaus and offices, with the approval of the Department Head.

In preparing the Memorandum of Agreement, the parties hereto shall always remember that the same is entered into with the objective of removing roadblocks to the full utilization of the talent, training, capability or expertise of career service personnel in the interest of national development.

All concerned shall submit a report on the action taken on this Order together with copies of the Memorandum of Agreement as soon as possible, but not exceeding a period of three (3) months from the receipt hereof.

Done in the City of Manila, this 15th day of February, in the year of Our Lord, nineteen hundred and seventy-one.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1971). *[Administrative Order Nos.: 264 - 316]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 273
REMOVING MR. FELIPE B. PAREJA FROM OFFICE AS CITY TREASURER OF CEBU.

This is an administrative case filed by the Department of Finance against Mr. Felipe B. Pareja, suspended City Treasurer of Cebu, for grave misconduct on two counts, to wit: (1) participation in the murder of Atty. Antonio Abad Tormis, editor of the Republic News of Cebu City and (2) malversation of public funds through falsification of public documents and/or illegal use of public funds.

Respondent was preventively suspended from office on July 24, 1962, upon recommendation of the Department of Finance.

The records show that on September 12, 1963, respondent was convicted by the Court of First Instance of Cebu in Criminal Case No. V-8601 for the murder of Atty. Tormis, for which he and his co-defendants were sentenced to suffer the penalty of reclusion perpetua and to pay the heirs of the victim, jointly and severally, the total sum of ₱131,785.65. On the basis of his conviction, the Secretary of Finance recommended his dismissal from the service, which was not given due course, in view of his pending appeal to the Supreme Court. Likewise, and upon the recommendation of the Secretary of Finance, the administrative proceedings were held in abeyance pending final decision of the criminal case until such time as respondent was out on bail, whichever was earlier.

However, upon representations of the widow of the deceased, the Secretary of Finance on April 27, 1967, was directed to proceed with the hearing of the case and to withhold action on any claim for retirement and/or other benefits of respondent, who was due for compulsory retirement, pending final disposition of his case.

In its 2nd indorsement dated May 10, 1967, the Department of Finance informed the Office of the President that respondent reached the compulsory retirement age of 65 years on May 1, 1967, and was therefore “beyond the reach of administrative processes.” This notwithstanding, the Department of Finance was directed to pursue the prosecution of the administrative case against respondent in view of Opinion No. 5, series of 1962, of the Secretary of Justice that the retirement of an officer or employee does not nullify or render moot the investigation of the administrative charges filed against him, although it may render academic the imposition of certain penalties like removal, etc.; and that the consequential penalties of forfeiture of retirement benefits and leave privileges incidental to dismissal from the service for cause may still be given effect.

On November 29, 1969, the Supreme Court affirmed respondent’s conviction and his co-defendants by the Court of First Instance of Cebu. On the basis of respondent’s final criminal conviction the Department of Finance recommends that he be formally dismissed from the service.

Considering that the afflictive penalty of reclusion perpetua imposed upon respondent carries with it the accessory penalty of perpetual absolute disqualification (Art. 41, Revised Penal Code), his dismissal from the government service has, of legal necessity, become a matter of course or fait accompli. Such is the clear and unmistakable import of the provisions of Article 30 of the Revised Penal Code, which read:

“ART. 30. Effects of the penalties of perpetual or temporary absolute disqualification. - The penalties of perpetual or temporary absolute disqualification for public office shall produce the following effects:

“1. The deprivation of the public offices and employments which the offender may have held, even if conferred by popular election.

“2. The deprivation of the right to vote in any election for any popular elective office or to be elected to such office.

“3. The disqualification for the offices or public employment and for the exercise of any of the rights mentioned.

“In case of temporary disqualification, such disqualification as is comprised in paragraphs 2 and 3 of the article shall last during the term of the sentence.

“4. The loss of all rights to retirement pay or other pension for any office formerly held.” (Emphasis added.)

Wherefore, and in view of his final criminal conviction by the Supreme Court, Mr. Felipe B. Pareja is hereby declared dismissed from office as City Treasurer of Cebu, effective as of the date of his preventive suspension.

Done in the City of Manila, this 18th day of February, in the year of Our Lord, nineteen hundred and seventy-one.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1971). *[Administrative Order Nos.: 264 - 316]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 274
CREATING A PRESIDENTIAL FERTILIZER COMMISSION.

By virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby create a Presidential Fertilizer Commission to assess the demand/supply situation and related aspects in the fertilizer industry; review the relevant government policies, regulations, tariffs, other restrictions, current programs and projects; and accordingly formulate recommendations for needed changes, revisions, amendments or new promulgations and actions composed of the following:

Secretary of Agriculture and Natural Resources.....	Chairman
Undersecretary for Agriculture	Vice Chairman
Chairman, Board of Investments.....	Member
Undersecretary of Finance	Member
President, Atlas Fertilizer Corporation	Member
President, CHEMPHIL.....	Member
President, ESFAC.....	Member
President, Marcelo Fertilizer Corp.....	Member
Executive Secretary, Fertilizer Institute of the Philippines.....	Member
Executive Secretary, Chamber of Agriculture & Natural Resources.....	Member
Administrator, Agricultural Credit Administration.....	Member
Director of Plant Industry	Member
Director of Soils	Member
Executive Director, NFAC.....	Member

The Committee shall work with and avail of the services of the Fertilizer Consultant Team to be provided thru US-AID.

The National Food and Agricultural Council (NFAC) shall provide secretariat services for the Commission.

The Commission may create sub-committees and/or technical working groups, and broaden its scope of action and/or coverage whenever necessary to fully carry out its responsibilities under this Order.

The Commission shall submit its report and recommendations to the President within 3 months from the promulgation of this order.

Done in the City of Manila, this 2nd day of March, in the year of Our Lord, nineteen hundred and seventy-one.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1971). *[Administrative Order Nos.: 264 - 316]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 275
REMOVING MR. LEANDRO P. REYES FROM OFFICE AS MUNICIPAL JUDGE OF SAN JOSE,
OCCIDENTAL MINDORO.

This concerns Administrative Cases Nos. R-10, R-13, R-15 and R-16 against Municipal Judge Leandro P. Reyes of San Jose, Occidental Mindoro, which were investigated by District Judge Jorge R. Coquia of Occidental Mindoro. The charges are classified under the following headings:

I. Knowingly rendering an unjust judgment.

This charge contained in Administrative Case No. R-10 centers on respondent's order issued *ex parte* in Civil Case No. 221 directing the defendant Emmanuel Rey Hipolito, son of complainant Cipriano Rey Hipolito, to vacate the disputed property on which respondent had a garage. It was alleged that the defendant in said case was required to answer the complaint within a period less than that given in Section 1, Rule 9, old Rules of Court. No testimonial evidence was presented on complainant's allegations. However, upon agreement of the parties, the investigating Judge relied on the record of Civil Case No. 221.

Respondent explained that he granted the injunctive relief *ex parte*, in view of his desire to prevent any untoward incident between the parties, as the defendant was then intending to erect a post right through plaintiff's kitchen. He contended that Section 5, Rule 4 of the Rules of Court regulates the filing of an answer in the municipal court and not the one relied on by the complainant. He also denied any interest in the case.

The respondent should have ordered the maintenance of the status quo between the parties pending determination of the main case, considering that the right of possession was then in issue. Moreover, the harm to the plaintiff Rogelio Tiodin was not real because the defendant was then merely intending to erect a post through his kitchen. Respondent's action was precipitate and smacks of partiality in favor of the plaintiff who was his driver-mechanic.

II. Grave abuse of discretion.

The same complainant, Atty. Cipriano Rey Hipolito, in Administrative Case No. R-10 charged that respondent prejudged Criminal Case No. 1718 (for perjury) against Rogelio Tiodin and that he refused to inhibit himself therefrom despite the fact that the accused was his driver-mechanic. Respondent answered that his rejection of the criminal complaint on the ground that the basis thereof did not constitute the crime of perjury was in accordance with the Department of Justice revised circulars enjoining municipal judges to exercise caution in accepting complaints. To the charge that respondent gave due course to a charge of light threats filed by Arturo Toledo against Primo Tiodin, father of Rogelio, notwithstanding that the original charge was for grave coercion and that he entertained complaints filed by the Tiodins, no matter how ridiculous, the respondent claimed that even the police

authorities did not believe that grave coercion was committed by the accused. The investigator made no finding respecting this charge, except that respondent should have disqualified himself from trying the case, as it involved the father of his driver-mechanic. It is believed, however, that the relationship between respondent and Rogelio Tiodin was not a legal disqualification for him to hear the case. His inhibition, therefore, was a matter of discretion (*Pimentel vs. Salaña*, 21 SCRA 160).

III. Ignorance of the law.

The charge is set forth in both Administrative Cases Nos. R-10 and R-16. In Administrative Case No. R-10, it was established that in the Mila rape case, the respondent approved the bail bond filed by a brother of accused “Boy” San Diego who was then still at large. Respondent explained that his order for the cancellation of the bond was justified because he had no authority to order the confiscation and/or forfeiture of the same when the accused failed to appear for the purpose of giving final approval thereof. It thus appears that respondent approved the bail bond conditionally although the accused “Boy” San Diego was then still at large. The original warrant of arrest was made ineffectual by the action taken by the respondent as evidenced by his issuance of another warrant of arrest.

In this connection, the Supreme Court has ruled that the filing of a bail bond presupposes that the accused is under custody (*Manigbas et al. vs. Luna et al.*, 98 Phil. 466; *Feliciano vs. Hon. Ladislao Pasicolan*, 2 SCRA 888). The approval of the bail bond before the arrest of the accused “Boy” San Diego, even if conditionally made, violated the aforesaid ruling of the Supreme Court, which respondent is presumed to know. The error appears, however, to have been committed in good faith and was promptly rectified.

In Administrative Case No. R-10, it was established that in the case of *People vs. Panganiban* the respondent, believing that the crime committed was homicide instead of murder, dismissed the case and ordered the accused released from custody. The District Judge-Investigator opined that respondent “acted irregularly in dismissing outright the case and in releasing the accused.” Respondent should have transmitted the case to the Court of First Instance with his finding that the crime committed by the accused was homicide and not murder. The Provincial Fiscal then would have the opportunity to conduct his own investigation and file the proper information. Respondent’s actuation gave the accused the opportunity to remain at large even when the criminal case was refiled in the Court of First Instance, resulting in the government’s incurring unnecessary expenses to recapture the accused.

Respondent is also charged with having illegally assumed jurisdiction over Criminal Case No. R-815 wherein Claro Guevarra was accused of violation of Section 53 of the Revised Election Code. The proceedings in said case were nullified and the bail bond posted by the accused was cancelled when the case was elevated to the Court of First Instance. In this connection, Section 187 of the Revised Election Code confers on the Courts of First Instance exclusive original jurisdiction to make preliminary investigations, issue warrants of arrest and try and decide any criminal action or proceeding for violation of the Election Code.

IV. Malicious delay in the administration of justice.

Respondent admitted delay in the disposition of Criminal Cases Nos. 1172, 1177, 1178 and 1179 filed against Atty. Pedro P. Florescio for acts of lasciviousness as charged in Administrative Case No. R-10. However, he denied malice, attributing the delay to the desire of the parties to settle the cases amicably and to pressure of work. The reasons given by respondent are not convincing in the face of the injunction addressed to judges that they should discourage the fixing of cases by the parties

affected, as the vindication of society should not be subject to the whims and caprices of the parties (p. 129, Revised Circulars of the Department of Justice).

V. Grave misconduct and other related acts unbecoming a public official.

In Administrative Case No. R-10, it was shown that respondent, without a hearing previously held, dismissed Criminal Case No. 1717 (People vs. Eufrocino Ramirez). Instead, he merely wrote PC Captain Fajardo that the facts alleged in the criminal complaint filed by the latter did not constitute falsification of public documents and that paragraph 3, Section 87, Republic Act No. 296 (Judiciary Act of 1948) requires that a preliminary examination of the complainant and his witnesses by means of searching questions be made.

In Administrative Case No. R-15 initiated by Severo Madayag, Jose Septimo and Placido Robles, it was shown that respondent, during the pendency of a cadastral proceeding authorized to be heard by him, came into possession of the titles of the lands belonging to complainants; that he induced them to sign a special power of attorney authorizing him to mortgage their properties; that the power of attorney was not signed by the principals in the presence of a notary public or witnesses; that he obtained from the PHILASEDECO loans which he used to buy tractors on the security of complainants' properties; and that the mortgage was not released and the titles of the lands of complainants still remained in the hands of the mortgagee for almost eleven (11) years despite complainants' demands. Upon these facts, it is clear that respondent took advantage of his position in securing the signatures of complainants authorizing him to mortgage their properties for his own benefit under the guise that the complainants were his co-partners in a tobacco venture.

VI. Abuse of judicial power.

In Administrative Case No. R-13, five specifications were alleged by Congressman Pedro C. Medalla respecting the charges under this heading. Despite complainant's failure to appear, the Investigating Judge nevertheless passed upon the merits of the charges, as they were based on public records filed by public officials and on respondent's admission in his answer.

The first and second specifications cited in the complaint refer to the delay in the issuance of a search warrant applied for by the Philippine Constabulary and the respondent's alleged connivance with smugglers of blue seal cigarettes, some of whom are his relatives. The record shows that in the course of the investigation conducted by the PC of a certain charge of white slave trade, the offended parties, Evelyn and Crispula Conde, mentioned in their affidavits that they were made to sell blue seal cigarettes in the bar owned and maintained by the spouses Sofronio Valeroso and Ligaya Ambrocio. Along with the filing of the criminal complaint against the spouses, an application for search warrant was presented by the PC led by Captain Rodolfo M. Maestro. Respondent claimed that he was then of the impression that the main purpose of the offended parties and the PC authorities in coming to him that Sunday was in relation to the case of white slave trade; and that he was not asked to give preference to the application for search warrant which was actually attended to only after one o'clock in the afternoon of that same day when the preliminary examination of the witnesses was finished. He, however, remarked jestingly why he would bother himself in "issuing search warrants for blue seal cigarettes that never were there," which remarks he did not expect the PC officers to take seriously. He averred also that he was not aware that his children overheard the conversation respecting the application for search warrant and thus forewarned the parties to be searched. The remarks of respondent, although jokingly made, cast doubt on his sincerity because he had openly admitted that

all the search warrants he had issued produced negative results. There is no evidence, however, that respondent had connived with smugglers.

Respondent is therefore guilty of (a) Charge I for acting precipitately in connection with his issuance ex parte of the order ejecting defendant Emmanuel Rey Hipolito from the disputed property, which appeared to be tainted with bias, partiality and prejudice in favor of his driver-mechanic, Rogelio Tiodin; (b) Charge III for erroneously assuming jurisdiction of an election offense and dismissing a murder case on the ground that the offense committed was homicide; (c) Charge IV for delaying the disposition of Criminal Cases Nos. 1172, 1177, 1178 and 1179; (d) Charge V for taking advantage of his position in securing the authority of certain persons who had pending cases before him to mortgage their properties for his own benefit; and (e) Charge VI for delaying the issuance of a search warrant for smuggled cigarettes, thereby casting doubt on his sincerity in the campaign of the government against smuggling.

The foregoing infractions of the law and rules and the non-observance of the proper norm of conduct committed by respondent show that he is wholly unfit to continue in his exalted position as judge.

Wherefore, and as recommended by the Secretary of Justice, Mr. Leandro P. Reyes is hereby removed from office as municipal judge of San Jose, Occidental Mindoro, effective upon his receipt of a copy of this order.

Done in the City of Manila, this 4th day of March, in the year of Our Lord, nineteen hundred and seventy-one.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) ALEJANDRO MELCHOR

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1971). [*Administrative Order Nos.: 264 - 316*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 276
REMOVING MR. FRANCISCO D. BOTER FROM OFFICE AS MUNICIPAL JUDGE OF
MIDSALIP, ZAMBOANGA DEL SUR.

This is an administrative case against Municipal Judge Francisco D. Boter of Midsalip, Zamboanga del Sur, for (1) falsification of his age, (2) abandonment of his legitimate wife and children and (3) living with a common-law wife. The District Judge-Investigator found the first and second charges to be without sufficient basis.

As regards the third charge, respondent admits that on December 14, 1929, he was married to Leonila Rivera by whom he has six children, three of whom died. They lived in Cebu City where respondent was then employed as chief clerk in the office of the city engineer. Violent quarrels marred their marriage, which ultimately resulted in her abandoning the conjugal home. She refused to go with him to Naga where he was assigned in May 1941.

Respondent also admits that since 1942 up to the present, he and Gliceria Go have been living together as common-law husband and wife with eleven (11) children begotten from their union. In 1945 the estrangement between respondent and Leonila Rivera became more serious when he learned that the latter had been consorting with another man.

The separation in fact between respondent and Leonila Rivera does not legalize his union with Gliceria Go as his common-law wife. Such union is immoral and renders the respondent unfit to continue in office as municipal judge.

“Undoubtedly, respondent’s immorality is condemnable. He is a Justice of the Peace and, as such, he is considered a high government official in the community of his assignment. Being in direct contact with the people thereof, he is expected to be above and beyond reproach, not only in his private, but also in his public or official conduct, dealings and actuations. He ought to be a person of exemplary character, if not a model citizen — attributes so necessary if the citizenry are to keep faith in the proper and impartial administration of justice. . . .” (*Viojan vs. Duran*, 61 O.G. 4071; 4 SCRA 390.)

Wherefore, and as recommended by the Secretary of Justice, Mr. Francisco D. Boter is hereby removed from office as municipal judge of Midsalip, Zamboanga del Sur, effective upon receipt of a

copy of this order.

Done in the City of Manila, this 4th day of March, in the year of Our Lord, nineteen hundred and seventy-one.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) ALEJANDRO MELCHOR

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1971). *[Administrative Order Nos.: 264 - 316]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 277
CONSTITUTING THE PHILIPPINE TECHNICAL PANEL TO NEGOTIATE WITH ITS UNITED
STATES COUNTERPART AN AGRICULTURAL COMMODITIES AGREEMENT.

By virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby constitute the Philippine Technical Panel to negotiate with its United States counterpart an agricultural commodities agreement, composed of the following:

Mr. Ruben B. Ancheta Presidential Economic Staff	Chairman
Mr. Sergio Barrera Department of Foreign Affairs	Member
Mr. Bienvenido Villavicencio National Economic Council	Member
Mrs. Angelina Tiangco Central Bank of the Philippines	Member
Mrs. Alice Reyes Development Bank of the Philippines	Member

Done in the City of Manila, this 10th day of March, in the year of Our Lord, nineteen hundred and seventy-one.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1971). *[Administrative Order Nos.: 264 - 316]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 278
AMENDING ADMINISTRATIVE ORDER NO. 228, SERIES OF 1970, ENTITLED
“RECONSTITUTING THE EXECUTIVE COMMITTEE OF THE CENTRAL LUZON
DEVELOPMENT PROGRAM.”

Pursuant to the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby amend Administrative Order No. 228, series of 1970, entitled “Reconstituting the Executive Committee of the Central Luzon Development Program,” so as to include Hon. Roberto E. Fronda, Executive Director, NFAC, as Member, vice Hon. J. Gualberto Planas, who has resigned.

Done in the City of Manila, this 13th day of March, in the year Our Lord, nineteen hundred and seventy-one.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1971). *[Administrative Order Nos.: 264 - 316]*. Manila: Malacañang Records Office.

MALACANANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 279
SUSPENDING MR. ANTONIO RODRIGUEZ FROM OFFICE AS MUNICIPAL JUDGE OF
LAS PIÑAS, RIZAL.

This is an administrative case filed by Maria Susan Peret against Municipal Judge Antonio Rodriguez of Las Piñas, Rizal, for (1) violation of Section 5 of the Judiciary Act of 1948, (2) ignorance of the law and gross incompetence and (3) partiality. The case was investigated by the Executive Judge of the Court of First Instance of Rizal.

The records show that Criminal Case No. 314 (for consented abduction) was filed by complainant before the Municipal Court of Las Piñas, Rizal, presided by respondent. The accused therein filed a motion to dismiss to which complainant filed an opposition on October 3, 1968, and the case was then submitted for resolution. On May 12, 1969, or after more than seven (7) months had elapsed, respondent dismissed the criminal case.

At the hearing of this administrative case, complainant did not testify but presented, through counsel, documentary evidence as exhibits consisting of the following: copy of her opposition to the motion to dismiss dated October 3, 1968; copy of the order of dismissal of Criminal Case No. 314 by respondent dated May 12, 1969; transcript of the stenographic notes of the proceedings in the criminal case; medico-legal case report dated January 17, 1969; statement of complainant subscribed before the respondent judge; and the birth certificate of complainant. With the exception of complainant's birth certificate, all the documentary evidence presented by her counsel was admitted by respondent.

In his defense respondent testified that the delay in the disposition of the criminal case beyond the reglementary period of 90 days was due to the failure of his clerk of court to give him on time the records of the case, for which he reprimanded the latter who by reason thereof resigned from his position; that he dismissed the criminal case because of his findings that complainant was no longer a virgin on the date of the incident, as she had previous sexual intercourse with another man; that complainant's minority was not established in view of the failure of the prosecution to present her birth certificate after the fact thereof was admitted by the defense; and that the offended party was not taken away with some character of permanency inasmuch as the purpose of the accused in going to his brother's house, where complainant was brought, was to borrow money and he had to lie with her there to persuade her to go home. For the above reasons, respondent opined that no crime was committed within his jurisdiction and that there was no lewd design on the part of the accused.

After the hearing, the Executive Judge-Investigator found respondent guilty of violation of Section 5 of the Judiciary Act of 1948 for failure to resolve the case within the period prescribed by law. He also found that the dismissal of the criminal case was not well taken; that respondent erred in holding that complainant was no longer a virgin on the basis of the testimony of the accused that the offended party confided to him that she had previous sexual intercourse with another man, because said self-serving testimony was not sufficient to cast a cloud over the chaste character of complainant for "even if the accused has had previous sexual intercourse there is still a case of abduction with consent and that virginity referred to in Article 343 is not to be understood in so material a sense as to exclude

the idea of abduction of a virtuous woman of good reputation” (U.S. vs. Casten, 34 Phil. 808); that he erred in holding that minority had not been established for failure of the prosecution to present the birth certificate after minority was admitted by the defense, as “it is neither proper nor permissive to consider a case closed, or to render judgment therein by virtue of an agreement entered into between the provincial fiscal and the counsel for the accused with reference to facts, some of which are favorable to the defense, and the others related to the prosecution, without any evidence being adduced or testimony taken from the witnesses mentioned in the agreement; such practice not authorized and defeats the purpose of the criminal law; it is an open violation of the rules of criminal procedure” (U.S. vs. Pobre, 11 Phil. 51); and that respondent also erred in ruling that the offended party was not taken away with some character of permanency because this factor is no longer controlling as held in the case of *People vs. Ingayo*, CA-G.R. No. 3723-R, Dec. 10, 1949, that “no matter how short is the taking away the crime still exists.” Again, “any character of permanence is not required but only an appreciable period of time” (*People vs. De la Cruz*, 48 Phil. 533), which in this case exists.

The Investigator concluded that the views of respondent regarding jurisdiction and the absence of lewd design cannot stand scrutiny, and recommended that respondent be admonished.

However, after a careful review of the records of the case, I agree with the Secretary of Justice that respondent also committed one glaring error for dismissing the case not under his jurisdiction without transmitting to the Court of First Instance the records of the preliminary investigation, which is tantamount to disposing of the same on the merits. Granting without admitting that respondent found no probable cause to bind the accused, he should have transmitted to the Court of First Instance the abstract of the testimony and other papers of the preliminary investigation together with his conclusion and leave the matter to the fiscal for whatever action he may desire to take in the premises.

“ . . . A justice of the peace, after the second stage of the preliminary investigation, can do nothing except to transmit the abstract of the testimony and other papers of the preliminary investigation to the Court of First Instance and the inference is thus made that the justice of the peace has absolutely no authority to order the release of the defendant. But this provision should be read in conjunction with all other provisions of Rule 108 [now Rule 112, New Rules of Court]. Since, as above stated, the purpose of the second stage of the preliminary investigation is to determine whether or not the accused should be held for trial, . . . the justice of the peace conducting such preliminary investigation, upon conclusion thereof and before transmitting the abstract to the Court of First Instance, is duty bound to state his conclusion as to the result of such investigation, by declaring either that there are reasonable grounds to believe that the crime has been committed and the accused is guilty thereof, or that the accused should be released because of insufficiency of evidence.”

“ X X X

“ . . . Section 13 of Rule 108 [Sec. 12, Rule 112, New Rules of Court] has been taken substantially from Section 59 of the Code of Criminal Procedure drafted by the American Law Institute wherein it is provided that “when the magistrate has discharge the defendant or has held him to answer,” he shall transmit the record of the preliminary investigation to the competent court. The quoted words were eliminated in Section 13 of Rule 108 as unnecessary, for even without them the provision would have the same import. Said section, as it is now worded, clearly means that upon the conclusion of the preliminary investigation,

whatever its result might be, whether the accused is released or is held for trial in the Court of First Instance, it is the duty of the justice of the peace to transmit to the clerk of the Court of First Instance the warrant of arrest, the abstract of the testimony of witnesses, the undertaking or bail of the defendant and the person of the defendant if not on bail. But, of course, if the defendant has been released, there is no need of transmitting his person or his bail to the Court of First Instance. The purpose of compelling the justice of the peace to transmit the record of the preliminary investigation to the clerk of the Court of First Instance in both instances is to provide the fiscal with a basis for whatever action he may desire to take in the premises, either to prepare the corresponding complaint or information or if the accused has been discharged, to seek his rearrest upon a new complaint if he believes the order of the justice of the peace to be erroneous.” (Biron vs. Cea, 73 Phil. 673.)

Where the complaint contains facts, which if true, would constitute a crime not within the jurisdiction of the justice of the peace, the duty of the latter after conducting the investigation is to decide whether probable cause exists that the accused is the author of the crime charged. If there are such causes he should forward the case to the corresponding Court of First Instance, otherwise he should dismiss it but in no case can he render judgment. If he does so, he acts without jurisdiction and consequently the judgment is null and of no effect. (Ngo Hok Chef vs. Aquino, 72 Phil. 90.)

Wherefore, and as recommended by the Secretary of Justice, Mr. Antonio Rodriguez is hereby suspended from office as municipal judge of Las Piñas, Rizal, for three (3) months without pay, effective upon receipt of a copy of this order. He is also warned that repetition of similar acts will be dealt with more severely.

Done in the City of Manila, this 13th day of March, in the year of Our Lord, nineteen hundred and seventy-one.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1971). *[Administrative Order Nos.: 264 - 316]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 280
SUSPENDING DR. AUGUSTO JORNALES FROM OFFICE AS CITY HEALTH OFFICER OF
CANLAON CITY.

This case stemmed from a petition dated July 1, 1969, of 121 residents of Canlaon City requesting the immediate relief and/or transfer of Dr. Augusto Jornales, City Health Officer of Canlaon, for (1) negligence to his sworn duties for refusing on several occasions to respond to emergency calls of poor and indigent patients; (2) sale of government drugs allotted to the barrio people of said city; and (3) gross inefficiency for failure to enforce and implement city sanitation ordinances.

In addition, respondent was also charged by Federico Pantinople with grave misconduct, dishonesty, serious negligence in the performance of duty and violation of law and/or duty ranging from sale of government drugs, charging patients from ₱3 to ₱10, when the same should be for free, refusing to answer calls of indigent patients, allowing his nurse to attend to serious cases requiring his presence, etc.; and by Erlinda Legaspi for having caused her mother's death through negligence. The case was investigated by a special investigator of the Department of Health.

On June 19, 1970, respondent was preventively suspended from office, in view of the serious nature of the charges against him.

The Secretary of Health agreed with the findings of the special investigator that, except for the charge of selling medicines, respondent is blameless as regards the others for failure of complainants to present sufficient evidence in support thereof and submitted the case for decision without any recommendation as regards the penalty to be imposed.

After a careful review of the case, I agree with the Secretary of Health that respondent, by his own admission (t.s.n. p. 173, April 2, 1970), is guilty of selling to patients medicines allegedly left to him by a drug agent on consignment basis, in violation of a Health Department order contained in page 4 of the Handbook for Rural Health Unit Workers under the heading Rural Health Service Policy, which expressly provides, among other things, that "the Municipal Health Officer as well as the other members of the Rural Health Units, shall at no time sell medicines to the public. Any personnel found violating this provision will be administratively dealt with."

For the above offense committed, the penalty of three months' suspension without pay is hereby imposed on Dr. Augusto Jornales with a warning that repetition of a similar offense in the future will be dealt with more severely. Having been under suspension since sometime in July 1970, he is hereby reinstated in office.

Done in the City of Manila, this 13th day of March, in the year of Our Lord, nineteen hundred and seventy-one.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1971). *[Administrative Order Nos.: 264 - 316]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 281
REVOKING ADMINISTRATIVE ORDER NO. 166 DATED DECEMBER 16, 1965,
CONCERNING MUNICIPAL JUDGE ANASTACIO T. ZAMUCO OF BUGALLON,
PANGASINAN.

This is a petition by Mr. Anastacio T. Zamuco for the reconsideration of Administrative Order No. 166 dated December 16, 1965, suspending him from office for three months without pay as Municipal Judge of Bugallon, Pangasinan.

After a review of the case, I find that there was sufficient compliance with Sections 1, 6 and 7 of Rule 108 of the old Rules of Court when respondent dispensed with the affidavits of corroborating witnesses in filing the four criminal cases against complainant.

WHEREFORE, Administrative Order No. 166 dated December 16, 1965, is hereby revoked and respondent exonerated of the charges against him.

Done in the City of Manila, this 24th day of March, in the year of Our Lord, nineteen hundred and seventy.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1971). *[Administrative Order Nos.: 264 - 316]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 282

**CREATING A COORDINATING COMMITTEE TO UNDERTAKE THE PLANNING AND
IMPLEMENTATION OF AN URBAN RENEWAL AND HOUSING PROGRAM IN THE BURNED
AREA OF BARRIO MAGSAYSAY, TONDO, MANILA.**

By virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby create a Coordinating Committee to undertake the planning and implementation of an urban renewal and housing program in the burned area of Barrio Magsaysay, Tondo, Manila, composed of the following:

President Ferdinand E. Marcos	- Overall Chairman
Mayor Antonio J. Villegas	- Chairman for City Government Projects
Mr. Alejandro Deleña	- Chairman for National Government Projects
Director of Public Works	
Senator Helena Z. Benitez	- Member
Chairman, Senate Committee on Housing, Urban Development and Resettlement	
Rep. Roque Ablan, Jr.	- Member
Chairman, Committee on Housing House of Representatives	
Rep. Francisco Reyes	- Member
1st District, Manila	
Mr. Ernesto Valdez	- Member
Deputy Governor, Land Authority	
Gen. Gaudencio Tobias (Ret.)	- Member
Executive Vice President National Housing Corporation	
Mr. Baltazar Aquino	- Member
Commissioner of Public Highways	
Mr. Sebastian Santiago	- Member
General Manager People's Homesite and Housing Corporation	
Mr. Victor Recio	- Member
Assistant General Manager National Waterworks & Sewerage Authority	
Councilor Martin B. Isidro	- Member
1st District, Manila	
Col. Pacifico de Leon	- Member

Liaison between the National and the City Governments	
Col. Fidel Ventura	- Member
AFP Chief of Engineers	
Mr. Carlos Valdez	- Member
Representative of the Archbishop of Manila	
Mr. Jose Ma. Soriano	- Member
Mrs. Nelly Nufable	- Member
Department of Social Welfare	
Representative of USAID	- Member
Representatives of such civic, religious and charitable organizations as may be willing to provide financial assistance to the program	- Member

The Committee shall plan for, coordinate, and supervise the implementation of an urban renewal and housing program for the affected area. This program shall include provisions for the temporary accommodation of the residents in the area and the construction of permanent housing facilities to where they can subsequently be transferred. For this purpose, the following demonstration sites for public housing development projects shall be considered by this Committee:

- a. A parcel of the public domain situated in Bangkusay, Tondo, Manila, as defined in Proclamation No. 293, series of 1956, where the City Government of Manila will undertake its housing projects.
- b. Certain parcels of land situated in Tondo, Manila, as defined also in Proclamation No. 836, as follows: Parcel I - NAWASA Compound; Parcel II - BPW-BPH Yard; and Parcel III - Rawis Tulungan Area.
- c. Such other areas as the Committee may deem feasible for the purpose, subject to approval by the President.

The Chairman for City Government Projects and the National Government Projects may create such sub-committees as may be needed in the performance of their functions.

The Committee is hereby empowered to call upon any department, bureau, office and other instrumentalities of the government for such assistance as it may need in the accomplishment of its task.

An integrated program shall be completed within two weeks from the date hereof. Thereafter, monthly progress report on the implementation of this program shall be prepared and submitted.

Done in the City of Manila, this 12th day of April, in the year of Our Lord, nineteen hundred and seventy-one.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) ROBERTO V. REYES

Acting Assistant Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1971). *[Administrative Order Nos.: 264 - 316]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 283
MODIFYING ADMINISTRATIVE ORDER NO. 185 DATED NOVEMBER 13, 1969,
CONCERNING FORMER CITY JUDGE MANUEL H. JAVELONA OF BAGO CITY.

Upon petition for reconsideration filed by former City Judge Manuel H. Javelona of Bago City who was suspended from office for a period of six (6) months without pay under Administrative Order No. 185 dated November 13, 1969, and after a restudy of the facts and circumstances of the case and as recommended by the Department of Justice, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby modify Administrative Order No. 185 dated November 13, 1969, in the sense that instead of the penalty of suspension for six (6) months without pay therein provided, one of reprimand is hereby imposed on him.

Done in the City of Manila, this 19th day of April, in the year of Our Lord, nineteen hundred and seventy-one.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) FLORES BAYOT
Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1971). *[Administrative Order Nos.: 264 - 316]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 284
CREATING A REAL PROPERTY ASSESSMENT COMMITTEE IN THE DEPARTMENT OF
FINANCE.

WHEREAS, there is an imperative need to improve the real property assessment function considering the importance of the realty tax as the principal source of revenues for local governments; and

WHEREAS, the attainment of such objective will also result in the equitable distribution of the realty tax burden among all real property owners throughout the country;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby create a Real Property Assessment Committee in the Department of Finance composed of the following:

Mr. Angel Tiambeng, City Assessor of Manila-----	Chairman
Mr. Eusebio Agustin, Provincial Assessor of Tarlac -----	Member
Mr. Romulo Zarate, Provincial Assessor of Benguet -----	Member
Mr. Nicolas Catiil, City Assessor of Davao City -----	Member
Mr. Trinidad Lazaro, Provincial Assessor of Laguna -----	Member
Mr. Manuel Celis, Officer-In-Charge of the Office of the City Assessor of Silay- -	Member
Mr. Adalberto Balbuena, Provincial Assessor of Cebu -----	Member
Mr. Ramon Valencia, Provincial Assessor of Palawan -----	Member
Mr. Roseo Kabatay, Assistant Provincial Assessor of Batangas -----	Member

The powers, functions and duties of the Real Property Assessment Committee are:

(1) to conduct a study and analysis of the findings of the defunct Special Tax Revision Commission, created under Administrative Order No. 240, series of 1957;

(2) to formulate measures designed to implement the recommendations of said Commission, including proposals for remedial legislation, in the light of the problems presently obtaining in the real property assessment service;

(3) to assist the Secretary of Finance in the formulation and implementation of fiscal policies calculated to enhance the potentialities of the realty tax as source of local government revenues; and

(4) to recommend to the Secretary of Finance methods and procedures that will promote a more efficient and effective supervision over the offices of provincial and city assessors.

The Committee shall convene upon call of the Chairman of the Real Property Assessment Committee. A majority of the members shall constitute a quorum for the holding of a meeting of the Committee. The Chairman and members of the Committee shall not be entitled to additional compensation except for necessary traveling expenses incidental to the discharge of the functions of the Committee in accordance with existing laws and regulations, chargeable against the appropriations of their respective offices.

The Committee may call on any department, bureau, office, agency or instrumentality of the Government, including government-owned or controlled corporations for such assistance as it may need in connection with the performance of its functions, and such assistance shall be extended whenever the same is sought by the committee or any of its members.

The Committee shall finish its task within a period of one (1) year from the date hereof and submit reports of its accomplishments to the Secretary of Finance at least once a month, the first report to be submitted not later than May 31, 1971.

Done in the City of Manila, this 23rd day of April, in the year of Our Lord, nineteen hundred and seventy-one.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) ALEJANDRO MELCHOR

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1971). *[Administrative Order Nos.: 264 - 316]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 285
CREATING A COTABATO AND AGUSAN RIVER BASINS MULTI-PURPOSE DEVELOPMENT
COORDINATING COMMITTEE.

WHEREAS, there is a necessity of harnessing the Cotabato and Agusan Rivers for hydro-electric power, irrigation, domestic and industrial water supply, flood control, navigation, fish and wildlife preservation purposes;

WHEREAS, the project will hasten the development of the areas within the basins of the two rivers; and

WHEREAS, for maximum utilization of the basins, it is necessary that a master plan for their development should be drawn up;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, do hereby create a Cotabato and Agusan River Basins Multi-Purpose Development Coordinating Committee to be composed of the following:

Chairman, National Economic Council	Chairman
Director-General, Presidential Economic Staff.....	Vice-Chairman
Chairman-General Manager, Mindanao Development Authority	Executive Officer
General Manager, National Power Corporation	Member
General Manager, National Waterworks and Sewerage Authority	Member
Director of Public Works.....	Member
Administrator, National Irrigation Administration.....	Member
Commissioner of Public Highways.....	Member
Commissioner of Fisheries.....	Member
Director of Lands	Member
Director of Forestry.....	Member
Administrator, Irrigation Service Unit.....	Member

The Committee shall have the following functions:

1. To compile, collate and assess existing technical and engineering data and information and, on the basis thereof, draw up a program of additional data collection necessary for a comprehensive water resources development plan;
2. To determine sources of funds needed to finance the data collection and in undertaking engineering studies;
3. To draw up a master or comprehensive water resources development plan for the two river basins;
4. To pinpoint responsibility of each participating agency;
5. To allocate costs and uses of the water for each multi-purpose use;

6. To recommend legislation for purposes of confirming the creation of the Coordinating Committee, defining its powers and providing funds for the purpose; and

7. To serve as a clearing house for all information and policy decisions with respect to the development of the projects.

The Committee may create such sub-committees as may be necessary in the performance of its functions.

The Committee may request any department, bureau, office, agency and instrumentality of the government, including government-owned or controlled corporations, for such assistance as it may need in the performance of its functions.

Done in the City of Manila, this 23rd day of April, in the year of Our Lord, nineteen hundred and seventy-one.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) FLORES BAYOT

Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1971). [*Administrative Order Nos.: 264 - 316*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 286
CREATING A COMMISSION TO LOOK INTO THE CIRCUMSTANCES SURROUNDING THE
DEATH AND WOUNDING OF SOME STUDENT DEMONSTRATORS ON MAY 1, 1971

Pursuant to the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby, without prejudice to inquiries that may be made by both the legislature and the executive department, create a Commission composed of the following to look into the circumstances surrounding the death and wounding of some student demonstrators on May 1, 1971:

One retired Justice of the Supreme Court, as Chairman;

One outstanding law practitioner; one representative of the media; one representative of the student demonstrators; one representative of civic organizations; the City Fiscal of Manila; and one representative of veterans, as Members.

The Commission shall have the usual powers vested in investigative bodies, including the power to call witnesses and issue subpoenas and subpoenas duces tecum, and shall submit such recommendations as it may deem wise.

Done in the City of Manila, this 3rd day of May, in the year of Our Lord, nineteen hundred and seventy-one.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:
(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1971). *[Administrative Order Nos.: 264 - 316]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 287

AMENDING ADMINISTRATIVE ORDER NO. 286, SERIES OF 1971, ENTITLED “CREATING A COMMISSION TO LOOK INTO THE CIRCUMSTANCES SURROUNDING THE DEATH AND WOUNDING OF SOME STUDENT DEMONSTRATORS ON MAY 1, 1971.”

Pursuant to the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby amend Administrative Order No. 286, series of 1971, entitled “Creating a Commission to Look into the Circumstances Surrounding the Death and Wounding of some Student Demonstrators on May 1, 1971,” so as to include one (1) representative each from the business sector and the labor group, in the composition of the said Commission, in lieu of one (1) representative each from the student demonstrators and the media.

Done in the City of Manila, this 14th day of May, in the year of Our Lord, nineteen hundred and seventy-one.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1971). *[Administrative Order Nos.: 264 - 316]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

ADMINISTRATIVE ORDER NO. 288

AMENDING ADMINISTRATIVE ORDER NO. 225, SERIES OF 1970, ENTITLED “CREATING THE COMMITTEE ON CRIME PREVENTION AND TREATMENT AS AN ACTION ARM OF THE PEACE AND ORDER COORDINATING COUNCIL”

Pursuant to the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby amend Administrative Order No. 225, series of 1970, entitled “Creating the Committee on Crime Prevention and Treatment as an Action Arm of the Peace and Order Coordinating Council”, so as to designate Secretary Estefania Aldaba-Lim of Social Welfare as Chairman of said Committee, vice Secretary Gregorio M. Feliciano, who has resigned.

Done in the City of Manila, this 18th day of May, in the year of Our Lord, nineteen hundred and seventy-one.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1971). *[Administrative Order Nos.: 264 - 316]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 289
CREATING A SPECIAL EVALUATION AND AWARDS COMMITTEE TO EVALUATE ALL BID PROPOSALS AND RECOMMEND AWARD OF CONTRACT IN CONNECTION WITH THE IMPLEMENTATION OF THE DIGOS (DAVAO) - COTABATO (IBRD LOAN) PROJECT

To insure an effective and coordinated implementation of the Digos (Davao)-Cotabato (IBRD Loan) Project, there is hereby created a Special Evaluation and Awards Committee which shall have for its major function to evaluate all bid proposals and contract documents and to recommend award of contract in connection with the prosecution of the Digos (Davao)-Cotabato (IBRD Loan) Project, composed of the following:

Representative of the Commissioner of Public Highways	Chairman
Representative of the Director General, PES	Member
Representative of the Secretary DPWC	Member

All bid proposals for the construction of the Digos (Davao)-Cotabato (IBRD Loan) Project shall no longer be processed or evaluated by existing award committees in the Department of Public Works, Bureau of Public Highways, the Presidential Economic Staff or the Permanent Cabinet Committee on Public Bidding but automatically transferred to the jurisdiction of this Special Evaluation and Awards Committee which shall process and evaluate same in accordance with existing laws or rules on the matter.

Done in the City of Manila this 31st day of May, in the year of our Lord, Nineteen Hundred and Seventy One.

(Sgd.) **FERDINAND E. MARCOS**

By the President:
(Sgd.) **ALEJANDRO MELCHOR**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1971). *[Administrative Order Nos.: 264 - 316]*. Manila: Malacañang Records Office.

MALACAÑANG

RESIDENCE OF THE PRESIDENT
OF THE PHILIPPINES
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 290
AMENDING THE AUTHORITY GRANTED TO INSURANCE AND SURETY COMPANIES
TO BECOME SURETIES UPON OFFICIAL RECOGNIZANCES, STIPULATIONS, BONDS AND
UNDERTAKINGS.

Pursuant to the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby amend the authority previously granted under the provisions of Act Numbered Five hundred and thirty-six, as amended by Act Numbered Twenty-two hundred and six, to insurance and surety companies doing business in the Philippines, to become sureties upon official recognizances, stipulations, bonds and undertakings, so as to provide that such authority shall be valid only until the 30th day of June, Nineteen hundred and seventy-two, unless such companies are possessed on or before that date with a paid-up capital of One Million Pesos; and no new official recognizance, stipulation, bond or undertaking shall thereafter be issued by any such insurance companies with a paid-up capital stock of less than One Million Pesos until their authority to do so is restored by this Office.

Done in the City of Manila, this 14th day of June, in the year of our Lord, nineteen hundred and seventy-one, and of the Republic of the Philippines, the twenty-fifth.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ROBERTO V. REYES
Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1971). *[Administrative Order Nos.: 264 - 316]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 291

CREATING A COMMITTEE TO TAKE CHARGE OF THE FUNERAL ARRANGEMENTS AND INTERMENT OF THE LATE CARLOS P. GARCIA, FORMER PRESIDENT OF THE REPUBLIC OF THE PHILIPPINES AND PRESIDENT OF THE 1971 CONSTITUTIONAL CONVENTION.

WHEREAS, Carlos P. Garcia, former President of the Republic of the Philippines and President of the 1971 Constitutional Convention, died unexpectedly on June 14, 1971, to the deep sorrow and anguish of the Filipino people;

WHEREAS, it is only fitting and proper that adequate arrangements be made for the holding of official necrological services and a state funeral for the former President, commensurate with the people's love and respect for him;

NOW, THEREFORE I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby create a Committee on Funeral Arrangements and Burial, composed of the following:

Hon. Carlos P. Romulo Secretary of Foreign Affairs	- Chairman
Hon. Alejandro Melchor Executive Secretary (or his representative)	- Member
Hon. Juan Ponce Enrile Secretary of National Defence (or his representative)	- Member
Hon. Lorenzo Tañada Representing the Senate	- Member
Hon. Jose Aspiras Representing the House of Representatives	- Member
Hon. Enrique Fernando Representing the Supreme Court	- Member
Hon. Gilberto M. Duavit Representing the Constitutional Convention	- Member
Hon. Lino Chatto Governor, Province of Bohol	- Member
Hon. Benjamin Romualdez Governor, Province of Leyte	- Member

The Committee is hereby empowered to create such sub-committees as may be necessary to assist it in the performance of its functions.

Done in the City of Manila, this 14th day of June, in the year of Our Lord, nineteen hundred and seventy-one.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ROBERTO V. REYES
Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1971). *[Administrative Order Nos.: 264 - 316]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 292

REQUIRING THE PARTICIPATION AND COOPERATION OF THE CENTRAL LUZON-CAGAYAN VALLEY AUTHORITY IN THE PREPARATION OF THE FEASIBILITY STUDY OF THE MAGAT RIVER MULTI-PURPOSE PROJECT TO BE UNDERTAKEN BY THE NATIONAL IRRIGATION ADMINISTRATION.

In order to facilitate the preparation of a bankable feasibility report for the Magat River Multi-purpose Project to be undertaken by the National Irrigation Administration (NIA), I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby direct the Central Luzon-Cagayan Valley Authority to:

1. Participate and extend full cooperation to the NIA in the preparation of a feasibility report for the Magat Project;
2. Make available to the NIA all data and information in connection with the Magat Project;
3. Make available for detail to the NIA any needed personnel particularly those who were previously engaged in the initial studies of the project;
4. Make available to NIA any equipment that may be needed for the accomplishment of the feasibility study, such as geologic, hydrologic and surveying equipment, which is not being used in any on-going project of the CLCVA; and
5. Submit a quarterly report on the extent of participation and assistance CLCVA has extended to the NIA in connection with the above-mentioned project.

Done in the City of Manila, this 15th day of June, in the year of Our Lord, nineteen hundred and seventy-one.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ROBERTO V. REYES
Acting Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1971). *[Administrative Order Nos.: 264 - 316]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 293
CREATING THE COORDINATING COMMITTEE FOR NUCLEAR POWER STUDY

WHEREAS, the Government welcomes the agreement in principle between the National Power Corporation (NPC) and the Manila Electric Company (MERALCO) for the integrated planning of capacity additions in the Luzon Grid;

WHEREAS, the joint planning has demonstrated that serious consideration should be given to constructing a nuclear power station to be completed in the latter part of this decade;

WHEREAS, a project feasibility study covering technical, economic, safety, organizational and other related aspects should be undertaken to establish the definite viability of the project preliminary to securing its financing;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me, do hereby create the Coordinating Committee for Nuclear Power Study to be composed of the following:

Commissioner, Philippine Atomic Energy Commission -----	Chairman
Assistant General Manager, National Power Corporation -----	Member
Deputy-Director General, (Operations) Presidential Economic Staff -----	Member
Director, Office of Foreign Aid Coordination, National Economic Council ---	Member

The Committee is hereby authorized to invite a representative from MERALCO as one of its regular members. The Committee shall also have the following functions:

1. Through the appropriate Government agencies, secure the services of a foreign engineering consulting firm that shall undertake a technical and economic feasibility study of constructing a nuclear power station in the Luzon Grid by 1978/79.
2. Provide administrative, technical and local financing support to the engineering consulting firm.

The Committee may create such sub-committees as may be necessary in the performance of its functions.

The Committee may request any department, bureau, office, agency and instrumentality of the Government, including government-owned or controlled corporations, for such assistance as it may need in the performance of its functions.

The Committee shall render a monthly progress report to the Chairman of the Power Development Council.

Done in the City of Manila, this 23rd day of June, in the year of Our Lord, nineteen hundred and seventy-one.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ROBERTO V. REYES
Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1971). *[Administrative Order Nos.: 264 - 316]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 294
SUSPENDING MR. ILUMINADO BO FROM OFFICE AS MUNICIPAL JUDGE OF BULAN,
SORSOGON.

This is an administrative case against Municipal Judge Iluminado Bo of Bulan, Sorsogon, for (1) serious misconduct in office, (2) harassment and oppression and (3) acts prejudicial to the public interest. The case was investigated by the Presiding Judge of the Court of First Instance of Sorsogon.

With respect to the charge of serious misconduct in office, complainant Catalina Guban alleges that in 1940 she mortgaged to Eulogio Santos a six-hectare parcel of agricultural land situated at Barrio Jamorawon, Bulan, Sorsogon, to guarantee a loan of ₱400. Her offer to redeem the property was refused by the mortgagee and, upon his death, the same attitude was entertained by his heirs. She decided then to complain to respondent judge whom she believed could settle the case out of court. Contrary to her expectations, and in spite of her plea to respondent to call the heirs of the mortgagee to a conference, he advised her to file a complaint, volunteering to act as lawyer. He further told her that the land could be redeemed even during the pendency of the case by depositing with the court the repurchase price of the land in the amount of ₱400. After complainant had given to respondent the said amount, nothing more was heard of the result of the consignment until about eight months thereafter when she learned that he did not deposit the money, which was misapplied for his own personal benefit.

Respondent denied having volunteered to act as the lawyer of the complainant. However, he admitted having prepared on February 1, 1967, the complaint for “Redemption of Mortgage with Petition for Consignation” which he gave to the complainant that same day. The complaint was filed only on February 27, 1967, by her daughter, Mrs. Josefina Montemayor, after the latter’s husband, Dr. Montemayor, was given the “go signal” by his father who had sought the opinion in writing of a certain Attorney Pastor regarding the legal aspects of the case. If respondent was interested in handling the case, he could have taken charge of the filing of the complaint in court. Taking into account this circumstance, as well as the testimony of Salvacion Guban de Golpo (a cousin of complainant who was present at the time the case was being taken up with respondent), to the effect that respondent never offered to act as complainant’s lawyer, the allegation ascribing to him a shyster’s conduct is clearly without basis.

As to the amount of ₱400 intended to be deposited with the clerk of court to effect the redemption of the land, respondent likewise admits having received it for said purpose. He explains, however, that he did not see any immediate need of depositing the amount with the court because he was still exploring the possibility of an amicable settlement of the case which was then in the pre-trial stage, and that there was no order of the court yet to consign to it the money.

Nevertheless, I agree with the Secretary of Justice and the District Judge-Investigator that there was no justification for respondent to retain the aforesaid amount after its return was demanded by complainant in her letter of March 1, 1968 (Exh. 28), by reason of the termination of his services. Complainant’s failure to come to respondent’s office for the purpose of signing a receipt for the money

and respondent's withdrawal from the case was no valid reason for retaining the amount. As aptly observed by the Investigator, respondent could have easily sent to complainant the amount of ₱400 by money order or by messenger with a companion, which could sufficiently prove the return of the money. Neither is there merit in his contention that he has a retaining lien on the said amount because such lien takes effect only after notice thereof has been entered in the record of Civil Case No. 516 and served upon the adverse party (*Elena Peralta Vda. de Caiña et al. vs. Victoriano et al.*, 105 Phil. 194, citing *Macondray and Co. vs. Jose*, 66 Phil. 590, and *Menzi and Co. vs. Bastida*, 63 Phil. 16).

It is misbehavior on the part of an attorney who unjustly retains money of his client after it has been demanded (Sec. 25, Rule 138, Revised Rules of Court). Respondent transgressed this provision by his refusal to return to complainant the amount of ₱400 intended to be consigned to the court. Such misconduct reflects adversely on his character and constitutes sufficient ground for disciplinary action against him.

On the subjects of harassment, oppression and acts prejudicial to the public interest imputed against respondent, no sufficient proofs are disclosed by the record to hold him liable therefor.

Wherefore, and as recommended by the Secretary of Justice, Mr. Iluminador Bo is hereby suspended from office as municipal judge of Bulan, Sorsogon, for one (1) year without pay, effective upon receipt of a copy of this decision, and ordered to return the amount of ₱400 to complainant Catalina Guban. He is also warned that repetition of the same offense will be dealt with more severely.

Done in the City of Manila, this 30th day of June, in the year of Our Lord, nineteen hundred and seventy-one.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) ALEJANDRO MELCHOR

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1971). *[Administrative Order Nos.: 264 - 316]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 295
SUSPENDING MR. PABLO M. AMOG FROM OFFICE AS MUNICIPAL JUDGE
OF PALAUIG, ZAMBALES.

This is an administrative case filed by Councilor Pedro G. Payoyo against Municipal Judge Pablo M. Amog of Palauig, Zambales, for drunkenness and abuse of position, which was investigated by the District Judge.

The charges relate to the incident alleged by complainant that he and respondent judge were among the guests at the luncheon party tendered by Major Melanio M. Ledina at the Riverside Restaurant on July 27, 1968; that when all those present were about to eat, respondent, who appeared reddish and drunk, approached complainant, held him by the arm and, then and there, without cause or reason, uttered in Zambal dialect insulting statements and threatened him with fist blows were it not for the intervention of the municipal treasurer of Palauig; and that failing in this, respondent got a tablespoon, scooped viand and then threw it at complainant smearing him from head to foot.

Respondent in his answer denied the acts imputed to him, insisting that he was sober during the occasion mentioned in the complaint, having drunk only one bottle of beer.

In support of the charges, complainant offered his testimony, as well as that of Municipal Treasurer Domingo Monato and Councilors Emilio Fulinara and Felicito Aranda. Complainant narrated that there were two tables intended for the guests, the bigger one being occupied by Mayor Ledina, Vice-Mayor Del Fierro, Councilors Apatan and Elefane, Fr. Dingcon and three others, while the smaller one was occupied by him and others. Soon thereafter, respondent arrived with Municipal Treasurer Domingo Monato, both of whom occupied also the table where complainant was. Respondent sat at complainant's left. Not long after, respondent said: "All the municipal councilors are stupid and the most stupid is Councilor Payoyo." Respondent then stood up intending to box complainant, but Municipal Treasurer Monato got up and told complainant to change his seat, which he did by sitting opposite respondent. As complainant was already seated, respondent twice thrust his spoon full of viand to complainant smearing his face and other parts of the body.

Upon the other hand, respondent's version of the incident is that as he was gesticulating in the course of his discussion with Municipal Treasurer Monato regarding the feasibility of purchasing office supplies for the municipal court at the time when the books of accounts of the municipality were about to be closed, his right hand touched the saucer in front of them, spilling the soy sauce contained therein, which smeared his trousers and spread to the direction of complainant; that he neither threw viand at nor uttered taunting remarks against complainant; that on his way down from his office, he was offered by Councilor Aranda a glass of Tanduay rum which he merely sipped; and that he only drank one bottle of beer at the luncheon party. Respondent's version was substantially corroborated by his cousin, Municipal Treasurer Monato, who, as hereinbefore stated, was a witness for the complainant.

The District Judge-Investigator found that respondent was really drunk on the occasion in question and did scoop viand and threw it at complainant, thereby giving more weight and credence to the testimony of the complainant than that of Monato, Aranda, Fulinara and respondent himself.

Monato's corroboration of respondent's version cannot be free from bias, as they are cousins and Monato exerted efforts in vain to settle this case amicably. Likewise, Aranda was also for the settlement of the case. Withal, if the incident did not happen in the manner narrated by complainant, what was there to forgive?

As respondent admitted, he drank Tanduay rum in the office of the chief of police and a bottle of beer in the Riverside Restaurant, which was sufficient to cause a bellicose intoxication manifested by belligerency. The facts disclosed by the record show that respondent infringed Canon No. 5 of the Canons of Judicial Ethics which provides that "A judge's official conduct should be free from the appearance of impropriety, and his personal behavior, not only upon the bench and in the performance of judicial duties, but also in his everyday life, should be beyond reproach."

Wherefore, and as recommended by the Secretary of Justice, Mr. Pablo M. Amog is hereby suspended from office as municipal judge of Palauig, Zambales, for one (1) month without pay, effective upon receipt of a copy of this decision, and warned that repetition of similar offense will be dealt with more severely.

Done in the City of Manila, this 30th day of June, in the year of Our Lord, nineteen hundred and seventy-one.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) FLORES BAYOT

Assistant Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1971). *[Administrative Order Nos.: 264 - 316]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 296

FURTHER AMENDING ADMINISTRATIVE ORDER NO. 175 DATED JULY 14, 1969, AS AMENDED BY ADMINISTRATIVE ORDER NO. 204 DATED FEBRUARY 21, 1970, ENTITLED “CREATING A COMMITTEE TO INVESTIGATE THE CHARGES OF THE PROVINCIAL GOVERNOR OF PANGASINAN AGAINST LICERIO P. SENDAYDIEGO, PROVINCIAL TREASURER OF THE SAID PROVINCE.”

Administrative Order No. 175, dated July 14, 1969, as amended by Administrative Order No. 204, dated February 21, 1970, is hereby further amended by empowering the same committee created therein to investigate the administrative charges against Provincial and City Treasurers and other Presidential appointees under the Department of Finance.

Done in the City of Manila, this 5th day of July, in the year of Our Lord, nineteen hundred and seventy-one.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) ROBERTO V. REYES
Assistant Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1971). *[Administrative Order Nos.: 264 - 316]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 297
CREATING A RURAL IMPROVEMENT COMMITTEE.

WHEREAS, there is urgent need to raise income levels and increase employment opportunities especially in the rural areas;

WHEREAS, this objective can be attained through the implementation of a massive and integrated rural improvement program;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby create a Committee to coordinate all the activities in the implementation of the said program. The Committee shall be composed of the following:

Hon. ARTURO TANCO, Jr.	Chairman
Secretary, Department of Agriculture and Natural Resources	
Hon. ROBERTO V. REYES.	Vice-Chairman
Assistant Executive Secretary	
Administrator MARIO R. REYES	Member
National Cottage Industries Development Authority	
Dir. Gen. RONY V. DIAZ	Member
National Manpower and Youth Council	
Commissioner FRANCISCO SAGUIGUIT	Member
Agricultural Productivity Commission	
Dir. ORLANDO PAGULAYAN	Member
Cooperatives Administration Office	
Mr. ROSENDO MARQUEZ.	Member
Officer-In-Charge, Presidential Arm on Community Development	
Dir. PEDRO G. REFUERZO.	Member
Bureau of Animal Industry	
Dir. ELISEO C. CARANDANG	Member
Bureau of Plant Industry	
Commissioner ANDRES M. MANE.	Member
Philippine Fisheries Commission	
Mr. SILVESTRE D. SARMIENTO	Member
Budget Commission	

The Committee shall coordinate the participating agencies in the implementation of the said program and that for purposes hereof the Chairman of the Committee shall exercise supervision over the Agricultural Productivity Commission and the Agricultural Credit Administration.

The Chairman is hereby empowered to create such sub-committees as may be needed to assist the Committee in the performance of its functions.

The Committee may call upon any department, bureau, office or instrumentality of the government for such assistance as it may need in the accomplishment of its mission.

This Order shall take effect immediately.

Done in the City of Manila, this 12th day of July, in the year of Our Lord, nineteen hundred and seventy-one.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) ALEJANDRO MELCHOR

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1971). *[Administrative Order Nos.: 264 - 316]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 298
CONSTITUTING A COMMITTEE TO STUDY THE PROBLEM OF EXCESS WORKERS IN THE
SUGAR PLANTATIONS THROUGHOUT THE COUNTRY AND THEIR RESETTLEMENT AND
REHABILITATION.

WHEREAS, this Office has taken cognizance of the plight of the 264 families affected by the recent labor dispute in Bais City, Negros Oriental;

WHEREAS, it is imperative that this problem, including similar potential situations in the country, be immediately looked into and that appropriate solutions or measures be taken towards the resettlement and rehabilitation of the workers concerned;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby constitute a Committee composed of the following:

The Secretary of Labor	- Chairman
The Governor, Land Authority	- Vice Chairman
The Administrator, Agricultural Credit Administration, or his representative	- Member
The Executive Director, Cottage Industries Development Enterprise, or his representative	- Member
The Director-General, National Manpower and Youth Council, or his representative	- Member
The President, Philippine National Bank, or his representative	- Member
The Director, Bureau of Soils, or his representative	- Member
The Administrator, Philippine Sugar Institute, or his representative	- Member

The Committee shall coordinate, insofar as the workers' problem in Bais City are concerned, with Cong. Herminio Teves, the Provincial Governor of Negros Oriental and the Mayor of Bais City. It shall also coordinate with the appropriate officials in the provinces or cities where similar congestion of workers exists.

The Committee shall (a) take steps to resettle and rehabilitate the 264 workers mentioned above in Bais City; (b) study the general problem of overcrowding in the sugar plantations throughout the country; (c) recommend measures for the workers' resettlement and rehabilitation; and (d) study the feasibility of organizing these excess workers into farmers' cooperatives.

All heads of departments, bureaus, offices and other instrumentalities of the government are hereby enjoined to extend full support and cooperation to the Committee in the discharge of its functions.

Done in the City of Manila, this 13th day of July, in the year of Our Lord, nineteen hundred and seventy-one.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1971). *[Administrative Order Nos.: 264 - 316]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 299
EXONERATING MUNICIPAL JUDGE MARCELO S. PE OF GASAN, MARINDUQUE.

This is an administrative case filed by Teodulo Miciano against Municipal Judge Marcelo S. Pe of Gasan, Marinduque, for (1) partiality, (2) grave abuse of authority, (3) denial of justice and (4) ignorance of the law. The case was formally investigated by District Judge Jesus V. Abeleda of the Court of First Instance of Marinduque who found respondent not guilty of the charges and recommended that he be exonerated, in which the Secretary of Justice concurs.

Charges (1), (2) and (3) relate to three cases, namely, the complaint filed on September 30, 1967, by PC Sgt. Andres M. Jinang against Angelito Serdena and Agripino Ablang for estafa through falsification of a mercantile document, that filed on November 28, 1964, by Police Sgt. Rafael Semilla against Clarita Olavides for unjust vexation and the one filed on April 13, 1964, by Josefa Seña and Clarita Olavides against Jesus Valencia for slander, which complaints the respondent allegedly refused to accept and/or delayed action thereon despite the sufficiency thereof. The last charge stemmed from the money claim of ₱200 asserted by Alfredo Mendoza against herein complainant where respondent issued a subpoena to the defendant instead of summons.

Anent the case against Angelito Serdena and Agripino Ablang, respondent explains that when the criminal complaint was presented to him, he required Sgt. Jinang and Mrs. Laguio (complaining witness) to secure first a certification from the Manila Office of the Philippine Charity Sweepstakes Office that the sweepstakes ticket sold to her by the accused had been fully examined and found to be falsified; that after having secured the certification, Sgt. Jinang and Mrs. Laguio presented it on October 4, 1967, to respondent who forthwith accepted the complaint and conducted the preliminary examination the following day by taking the statement of the complaining witness in the form of questions and answers; that on October 9, 1967, Mrs. Jovita Uy's statement was also taken in the form of questions and answers; that on October 11, 1967, the statement of Agnes Villanueva was taken, but said witness was unable to sign it because she left and failed to come back for unknown reasons; and that on October 25, 1967, the complaining witness took back the complaint and its supporting papers which she filed with the provincial fiscal.

The circumstance that upon respondent's acceptance of the complaint on October 4, 1967, he conducted the preliminary examination thereof on October 5, 1967, and reset the same on subsequent dates negates the charge of procrastination. Respondent's refusal to admit the complaint at once is supported by Department of Justice Circular No. 48 dated June 14, 1956, which directs that, before accepting a complaint, the judge must first satisfy himself that there exists a prima facie case against the accused in order to avoid the impression that local courts are being used as instruments for harassment.

As regards the complaint for unjust vexation filed by Sgt. Rafael Semilla against Clarita Olavides, there is no basis for respondent's alleged apathy and indifference in not accepting the complaint. Complainant, who was the complaining witness in the case, testified that respondent actually received the complaint, read the same and propounded questions to the witnesses. Respondent, however, returned the complaint because he was of the opinion that there was no case against the accused.

Upon respondent's advice, complainant filed another complaint with the provincial fiscal who likewise dismissed it. The case filed by Clarita Olavides against Jesus Valencia was not given due course because the complaining witness failed to redraft the complaint so as to include a certain teacher as offended party.

With respect to the money claim of ₱200 filed by Alfredo Mendoza against herein complainant, respondent committed no substantial error when he issued a subpoena instead of summons. No harm was done in using the procedure. The charge is flimsy and deserves no consideration.

In view of all the foregoing, and upon the recommendation of the Secretary of Justice and the District Judge-Investigator, Municipal Judge Marcelo S. Pe of Gasan, Marinduque, is hereby exonerated from the charges.

Done in the City of Manila, this 13th day of July, in the year of Our Lord, nineteen hundred and seventy-one.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) ALEJANDRO MELCHOR

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1971). [*Administrative Order Nos.: 264 - 316*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 300
MODIFYING ADMINISTRATIVE ORDER NO. 227 DATED JULY 17, 1970, CONCERNING
MUNICIPAL JUDGE DESIDERIO C. CUSTODIO OF MAINIT, SURIGAO DEL NORTE.

Upon petition for reconsideration filed by Municipal Judge Desiderio C. Custodio of Mainit, Surigao del Norte, who was suspended from office for a period of four (4) months under Administrative Order No. 227 dated July 17, 1970, and after a restudy of the facts and circumstances of the case, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby modify Administrative Order No. 227 dated July 17, 1970, by reducing the penalty imposed on him to suspension for one (1) month without pay.

Done in the City of Manila, this 13th day of July, in the year of Our Lord, nineteen hundred and seventy-one.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) PONCIANO G. A. MATHAY
Acting Assistant Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1971). *[Administrative Order Nos.: 264 - 316]*. Manila: Malacañang Records Office.

MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 301

**CREATING A COMMITTEE ON THE LAW OF THE SEA TO ADVISE THE PHILIPPINE
DELEGATION TO THE UNITED NATIONS COMMITTEE ON THE PEACEFUL USES OF THE
SEA-BED AND THE OCEAN FLOOR BEYOND THE LIMITS OF NATIONAL JURISDICTION
AND TO THE CONFERENCE ON THE LAW OF THE SEA.**

A committee is hereby created to give technical advice to the Philippine Delegation to the United Nations Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor Beyond the Limits of National Jurisdiction and to the Conference on the Law of the Sea, which shall be composed of the following:

- | | |
|---|----------|
| (a) A representative of the Department of Foreign Affairs..... | Chairman |
| (b) A representative of the Department of Justice..... | Member |
| (c) A representative of the Department of National Defense..... | Member |
| (d) A representative of the Presidential Economic Staff..... | Member |
| (e) A representative of the National Science and Development Board..... | Member |
| (f) A representative of the Bureau of Coast and Geodetic Survey..... | Member |
| (g) A representative of the Philippine Fisheries Commission..... | Member |
| (h) A representative of the Bureau of Mines..... | Member |

The members of the Committee shall be designated by the Secretary of Foreign Affairs upon recommendation of the Department Heads concerned.

The Committee shall undertake work under the supervision of the Secretary of Foreign Affairs and shall have the following powers and duties:

(a) To gather, collate and evaluate up-to-date information about the Philippines relevant to the subjects and issues which would come up for consideration by the Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor and in preparation for the Conference on the Law of the Sea in 1973; and

(b) To formulate policies, guidelines and suggestions, which, subject to appropriate approval, should motivate the Philippine Delegation in future sessions of the Sea-Bed Committee and in the Conference on the Law of the Sea.

Members of the Committee shall be paid such per diems, transportation and other expenses as may be fixed by law or regulation payable from the funds of their respective offices.

Officials and employees of all departments, bureaus, offices, agencies and instrumentalities of the Government are hereby enjoined to cooperate with the Committee in the discharge of its task and to furnish to the Committee such data and information as it may need.

Done in the City of Manila this 20th day of July, in the year of Our Lord, nineteen hundred and seventy-one.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **ALEJANDRO MELCHOR**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1971). *[Administrative Order Nos.: 264 - 316]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 302
REQUIRING THE HONORABLE ABELARDO SUBIDO TO RESIGN FROM OFFICE AS
COMMISSIONER OF CIVIL SERVICE.

This is an administrative case filed by Mr. Faustino Tugade against Commissioner of Civil Service Abelardo Subido for various alleged irregularities, to wit:

1. Illegal, unauthorized and involuntary exaction of money from subordinate officials and employees for a so-called “Welfare Fund”;
2. Violation of the Anti-Graft and Corrupt Practices Act;
3. Anomalous, irregular and illegal appointments;
4. Illegal assignments of personnel for ulterior motives;
5. Violation of the Civil Service Law, rules and regulations;
6. Discriminatory conduct; and
7. Grave abuse of power and discretion.

Of the above charges, the Presidential Investigating Committee (PIC) created by Administrative Order No. 50 dated April 18, 1967, found respondent guilty of violation of the Anti-Graft and Corrupt Practices Act (Rep. Act No. 3019), for entering into contracts grossly disadvantageous to the Government. The rest of the charges were found either not proved or, from the evidence presented by complainant, without merit. The charge for violation of Republic Act No. 3019 was later on reinvestigated, upon respondent’s request, and the committee in its supplementary report has reiterated its findings as contained in its original report. I agree with the investigating committee. This decision shall therefore deal only with the charge on which respondent was found guilty and otherwise wanting.

It appears that respondent is the registered owner of a two-hectare lot situated along the Elliptical Road in Quezon City. His ownership of the property is evidenced by Transfer Certificate of Title No. 95882 of the Register of Deeds of Quezon City. On April 22, 1966, respondent, as lessor, and the Civil Service Cooperative Store and Consumers Association, Inc., as lessee, entered into a contract covering an unspecified portion of the above property (Exh. X). The contract stipulated that the lease shall be for a period of three years from the date thereof renewable for a like period at the option of the lessor; that there shall be no rent for the use of the property; that the lot shall be used as the site of the Civil Service Recreation Center for the exclusive use of Civil Service employees, reserving, however, a sufficient area for garage, warehouse for dumping purposes of the Civil Service Commission, and the lessor himself; and that at the expiration of the term of the lease, the lessee shall remove all improvements introduced thereon.

The above contract was preceded by a resolution of the Board of Directors of the Civil Service Cooperative Store and Consumers Cooperative Association, Inc. (Exh. 26), passed on September 22, 1965, requesting Commissioner Subido “to allow the use of his vacant lot . . . for recreational purposes, under the terms and conditions that he may set.” This contract of April 22, 1966, was followed on

May 27, 1966, by a second contract of lease covering another unspecified portion of the same property in favor of the Civil Service Commission (Exhs. X-4, 40). This second contract was executed by respondent Abelardo Subido as Commissioner of Civil Service, representing the lessee, and by the same Abelardo Subido in his own personal capacity, as lessor.

Both contracts of April 22 and May 27, 1966, contain identical stipulations and the same must have been extended until respondent's tenure of office expires on May 22, 1973, as he informed the Executive Secretary in his letter of May 23, 1966 (Annex P, respondent's answer) and as suggested in his letter to the Auditor General dated July 12, 1967 (Exh. 39).

At the hearing before the PIC no evidence was presented to prove that the garage, warehouse or the building or buildings for records depository of the Civil Service Commission as contemplated in the contract of May 27, 1966, had been constructed in respondent's property (Exhs. X-4, 30). The evidence, however, shows that a clubhouse, bowling alleys, a swimming pool, tennis, badminton, basketball and handball courts, and a lagoon have been constructed (Exh. X-5; Annex B, respondent's answer). During the reinvestigation, respondent tried to show that of the ₱23,000 estimated cost of constructing the recreation center with a clubhouse, a bowling alley, a swimming pool, and tennis, badminton, basketball and handball courts, only about ₱8,000 was spent for the clubhouse which remains unfinished, the rest of the project, except the basketball court, remaining "only in paper." As correctly observed by the PIC, the finding which respondent disputes was based on his own evidence particularly his answer. There is no proof as to what portion of respondent's property - whether in the unspecified portion leased to the Civil Service Cooperative Store and Consumers Cooperative Association, Inc., or in the equally unspecified portion leased to the Civil Service Commission - the above recreational center adjuncts have been constructed.

In his letter to the Auditor General dated July 12, 1967 (Exh. 39), respondent suggested that he be allowed to revoke the contract of May 27, 1966, and issue in lieu thereof a letter-guaranty addressed to the Auditor General to the effect that he "would continue to allow the government to make use of my said property free of charge for the duration of my tenure of office as Commissioner of Civil Service (which will expire on May 22, 1973) and that the improvements shall be removed by the Civil Service Commission on the expiry date thereof." To this letter of respondent, the Auditor General replied on July 19, 1967 (Exh. 39-A), informing the Commissioner that he (Auditor General) refrained from making any comment thereon because "the question of the validity and propriety of the lease contract was sub judice." Obviously, the Auditor General was referring to Criminal Case No. Q-7212, entitled "People vs. Commissioner Abelardo Subido," on which this administrative order shall deal later. Respondent thereupon wrote a letter to the Auditor General on August 17, 1967, asking that a ruling be made on the question of whether or not a letter-guaranty described in the former's letter of July 12, 1967, "will be sufficient basis for the disbursement of public funds for the Civil Service Commission Center in Quezon City," to which letter the Auditor General replied on September 4, 1967, that "under the peculiar circumstances of this case, it is my considered view that the problem at hand involves a matter the resolution of which is better left to the judgment of the President of the Philippines." The evidence does not show that respondent consulted the President on the propriety of the contract of May 27, 1966.

In his aforesaid letter to the Auditor General dated July 12, 1967, respondent made specific reference to the contract of May 27, 1966; so, when, in his letter of August 17, 1967, he asked the Auditor General whether or not a letter-guaranty of the tenor he suggested in his previous letter of July 12, 1967, would be sufficient basis for the disbursement of public funds for the CSC Center in Quezon City, respondent had in mind the portion covered by the contract of May 27, 1967, as the site of CSC Recreational Center. From this exchange of communications between respondent and the

Auditor General there can be no doubt that the CSC Recreation Center, or at least a part thereof, was constructed on the portion leased by the Civil Service Commission.

Be that as it may, it is a fact that through the intervention of respondent the construction of the CSC Recreation Center was undertaken by the national government as a national project and financed with public funds. He made representations with the Bureau of Public Works and the Department of Public Works and Communications to consider the construction as a national project and to authorize the disbursement of the funds of the Civil Service Commission and the Boards of Examiners to defray the cost of materials used in the construction and to pay the salaries and wages of the Bureau of Public Works employees and laborers assigned to the project (Exhs. 31-A, 31-B, 31-D, 31-E and 31-F). The investigating committee, during the reinvestigation, was able to determine that respondent is one of the incorporators of the Civil Service Cooperative Store and Consumers Cooperative Association, Inc., having contributed ₱5,000, and thus correctly concludes that when respondent entered into the contract with said corporation on April 22, 1966, and when he took part in the negotiation for the Civil Service Recreation Center he had a direct interest in the corporation. The following statements of respondent indubitably indicate this:

“(1) I revived the Consumers Cooperative Store. It was not functioning and was in the red when I took over the Civil Service Commission. In order to activate it, I gave it an initial capital of ₱2,000 from my own personal funds.” (Page 7, answer to complaint.)

“I have chosen to use my Quezon City lot as the Civil Service Recreation Center, in cooperation with the Civil Service Cooperative Association during my tenure of office as Commissioner of Civil Service which will end on May 22, 1973.” (Page 3, letter to the Executive Secretary dated May 23, 1966, which is Annex P of respondent’s answer).

“The Civil Service Recreation Center is a project of the Civil Service Commission, in cooperation with the Civil Service Cooperative Association. Thus, in my capacity as Commissioner of Civil Service, and conformably with my sworn duty as such, I undertook the drawing of plans for the development of the area as a Recreation Center. The Center includes the construction of a clubhouse to serve as the center of activities, of a bowling alley, swimming pool, tennis, badminton, basketball and handball courts, including the planting of giant shade and ornamental trees, and the conversion of a creek behind the clubhouse as a lagoon with a small foot-bridge spanning it at the middle.” (Page 5, id.; emphasis supplied.)

We now come to the possible violation, offense or irregularity that respondent may have committed in the premises. Complainant claims that respondent is guilty of violation of Republic Act No. 3019 (Anti-Graft and Corrupt Practices Act), the relevant provision of which reads:

“SEC. 3. Corrupt practices of public officers.— In addition to acts or omissions of public officers already penalized by existing law, the following shall constitute corrupt practices of any public officers and are hereby declared to be unlawful:

“(g) Entering, on behalf of the Government, into any contract or transaction manifestly and grossly disadvantageous to the same, whether or not the public officer profited or will profit thereby.” (Emphasis supplied.)

It will be observed that to commit a violation of the above-quoted provision of the Anti-Graft Act the public officer need not profit from the contract or transaction, it being enough that the same is manifestly and grossly disadvantageous to the Government.

The negotiations leading to the construction of the CSC recreation center on respondent's private property was a transaction within the meaning of the aforequoted provision in which the Civil Service Commission was represented by Commissioner Subido. The construction was a national project or, in the words of respondent himself in his letter to the Executive Secretary (Exh. P), "a project of the Civil Service Commission, financed with government funds taken from the appropriations for the Civil Service Commission and the Boards of Examiners" (Exh. 31-C). Also in respondent's letter to the Civil Service Cooperative Store and Consumers Cooperative Association, Inc., he authorized the association to construct temporary buildings, stores, etc., but when he drew up the plan for the recreation center (Annex P, answer to complaint) and took the initiative in its construction, he knew that the center was not a temporary construction. Indeed, the planting of giant and ornamental trees as part of the project (Annex P) is proof that when he drew up the plans he envisioned a long-range project beyond his tenure of office expiring May 22, 1973.

As previously observed, the contracts of April 22 and May 27, 1966, contain an identical stipulation that "at the expiration of the term of this lease, the Lessee shall remove all improvements introduced thereon," but it is obvious that the bowling alleys, the swimming pool, and the tennis, badminton, basketball and handball courts, actually constructed or otherwise, cannot be removed from the leased property without destroying them. Moreover, it is doubtful if the materials which may be salvaged from the demolition of the clubhouse can be of any value or use to the Government after their removal from respondent's property, and there being an express stipulation in each contract of lease requiring the lessee to remove the improvements from the property at the expiration of the contract, the lessee cannot invoke Articles 448, 546 and 548 of the Civil Code and compel respondent to pay for the improvements at the expiration of the lease. It is clear that the transaction which resulted in the construction of the Civil Service Recreation Center was highly and grossly disadvantageous to the Government and that respondent violated Section 3(g) of Republic Act No. 3019.

The PIC in its supplemental report after the reinvestigation states that it is convinced that from the start respondent had himself in mind as the ultimate beneficiary of the improvements to be introduced on his property and that even before the signing of the contracts of April 22 and May 27, 1966, he intended the construction of the Civil Service Recreation Center to be undertaken by the Government and financed with public funds. The above observation is indeed compelling in view of the fact that purchases of construction materials were made as early as December 1965 under requisition and issue vouchers of the Civil Service Commission (Exhs. 4-B & 4-C, Ocular Inspection). Moreover, bearing in mind that the clubhouse was conceived and built as part of the recreation center and that respondent officially received notice of complainant's charges against him on June 19, 1967, as shown by his handwritten notation on the first page of the letter-complaint, I, like the investigating committee, cannot dismiss the belief — if not conviction — that respondent's decision in 1967 to convert the clubhouse into a records depository was merely to provide him with a convenient defense against the charge of violation of Republic Act No. 3019.

Respondent argues that the dismissal of the anti-graft case against him after its merits were thoroughly reviewed by the investigating fiscal "has a persuasive and preponderant effect on the administrative case" and "negatives the existence of any irregularity or corrupt practice in the execution and implementation of the two lease contracts covering respondent's lot." The case referred to is Criminal Case No. Q-7212 of the Court of First Instance of Rizal, Quezon City Branch, against herein respondent filed on July 18, 1966. After the reinvestigation, the fiscal handling the case held

that respondent did not commit the offense charged in the information and upon his motion, the court dismissed the case on December 23, 1967 (Exhs. 33-A, 33-B, 33-C). The criminal information in that case reads:

“The undersigned Assistant Fiscal accuses COMMISSIONER ABELARDO SUBIDO of Violation of Republic Act No. 3019, otherwise known as the Anti-Graft and Corrupt Practices Act, committed as follows:

“That on or about April 26, 1966, and for sometime prior and subsequent thereto, in Quezon City, Philippines, the above-named accused did then and there wilfully, unlawfully and feloniously, directly or indirectly having financial or pecuniary interest in a building construction and on a land all located along the Elliptical Road, East Triangle, part of the National Park, this City, in connection with which transactions the abovenamed accused did then and there enter and/or intervene or take part in his official capacity and in which he is prohibited by the Constitution and the laws from having any interest in a business, contract or transaction on behalf of the government, manifestly and grossly disadvantageous to the same, and forthwith, the abovenamed accused, pursuant to his criminal design, did then and there perform acts of persuading, inducing or influencing unlawfully another public officer, Councilor Rafael M. Mison, Jr., and other public officers of Quezon City to commit acts constituting a violation of rules and regulations duly promulgated by competent authority or an offense in connection with the official duties of the latter, that is, to refrain from causing the investigation of the illegal construction being committed by the abovenamed accused from instituting any action in connection therewith.” (Exh. 33.)

While the aforequoted information contains the descriptive phrases “having financial or pecuniary interest in a building construction and on a land located along the Elliptical Road, East Triangle, part of the National Park, Quezon City, in connection with which transactions the above-named accused did then and there enter and/or intervene or take part in his official capacity and in which he is prohibited by the Constitution and laws from having any interest in a business, contract, or transaction in behalf of the government, manifestly and grossly disadvantageous to the same,” which at first glance would give the impression that a violation of Section 3(g) of Republic Act No. 3019 is also charged, the specific acts alleged as constituting the supposed violation of the Anti-Graft and Corrupt Practices Act are “persuading, inducing or influencing unlawfully another public officer, Councilor Rafael M. Mison, Jr., and other public officers of Quezon City to commit acts constituting a violation of rules and regulations duly promulgated by competent authority or an offense in connection with the official duties of the latter, that is, refrain from causing the investigation of the illegal construction being committed by the above-named accused from instituting any action in connection therewith.” This is clear from the connecting phrase “and forthwith, the above-named accused, pursuant to his criminal design” between said phrases and the allegations of specific acts constituting the supposed violation.

In fine, therefore, the information in Criminal Case No. Q-7212 alleged only a violation of Section 3(a) of Republic Act No. 3019. Consequently, even if a violation of Section 3(g) of the same Act had been proved at the trial, if the case had not been dismissed, conviction for such violation would have been legally untenable. Apart from the fact that the dismissal of a criminal case is not a bar to a conviction in an administrative case, the dismissal of Criminal Case No. Q-7212 cannot be a ground

for the dismissal of the present administrative case, since the violation of Section 3(g) of Republic Act No. 3019 was not involved or charged in said criminal case.

Under the same count, respondent also appears to have countenanced the designations of his two brothers and a sister-in-law, who are employed in other government offices as liaison officers to the Civil Service Commission, which designations were clearly not mere coincidences but were due to their close relationship to the respondent Commissioner. To avoid criticism and suspicion of favoritism, he should have discouraged their appointments or designations or, if they had already been made when the same were brought to his attention, he should have suggested their revocation. As aptly observed by the investigating committee, said appointments or designations may not be prohibited by law or regulation but not all valid acts are morally defensible.

I, therefore, agree with the Presidential Investigating Committee that respondent violated Section 3(g) of Republic Act No. 3019, otherwise known as the Anti-Graft and Corrupt Practices Act, when he executed the contracts of lease of April 22 and May 27, 1966, and actively participated in behalf of the Civil Service Commission in the negotiations which led to the construction of the Civil Service Recreation Center as a national project and authorized the disbursement of public funds to finance said project.

Respondent claims to have acted in good faith in entering into the two contracts in question. With his exalted position in the Government, being no less than an ex officio member of the Cabinet and at one time the head of the defunct Presidential Anti-Graft Committee (PAGCOM), he should have known better than to involve himself and assume a primary role in said anomalous contracts. This Administration, in comparatively less serious offenses or infractions committed by officials of much lower category, has applied stern justice and removed the erring officials from the public service, as only officials and employees of high morality and integrity have a right to be therein. I can therefore do no less in this case, affecting as it does one from whom much is logically demanded and expected as head of the Civil Service Commission in his actuations and decorum for the emulation and guidance of the rank and file in the civil service.

Wherefore, the Honorable Abelardo Subido is hereby required to resign from office as Civil Service Commissioner within three (3) days from receipt of a copy of this order, and if he fails to do so, he shall be considered resigned upon the expiration of the period given.

Done in the City of Manila, this 21st day of July, in the year of Our Lord, nineteen hundred and seventy-one.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) ALEJANDRO MELCHOR

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1971). [*Administrative Order Nos.: 264 - 316*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 303

CREATING A COMMITTEE TO INVESTIGATE THE COMPLAINTS OF THE MUNICIPALITY OF CARIGARA AND THE CARIGARA FARMERS COOPERATIVE ASSOCIATION AGAINST THE LOGGING OPERATIONS OF THE NORTHERN LEYTE CONSOLIDATED TIMBER CORPORATION WITHIN THE PROPOSED CARIGARA WATERSHED RESERVATION.

By virtue of the powers vested in me, I, FERDINAND E. MARCOS, President of the Philippines, do hereby create a committee to investigate the complaints of the Municipal Council of Carigara, Leyte, and the Carigara Farmers Cooperative Association against the logging operations of the Northern Leyte Consolidated Timber Corporation within the proposed Carigara Watershed Reservation to be composed of the following:

Representative of the U.P. College of Forestry	Chairman
Representative of the National Irrigation Administration	Member
Representative of the Bureau of Soils	Member
Representative of the Bureau of Forestry.....	Member
Representative of the Bureau of Public Highways	Member

The Committee may ask any department, bureau, office, agency or instrumentality of the government for such assistance as it may need in the performance of its functions.

The Committee shall submit its report and recommendation to the President as soon as practicable, together with a draft of proclamation establishing the Carigara Watershed Reservation.

Done in the City of Manila, this 27th day of July, in the year of Our Lord, nineteen hundred and seventy-one.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) ALEJANDRO MELCHOR

Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1971). *[Administrative Order Nos.: 264 - 316]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 304

AMENDING ADMINISTRATIVE ORDER NO. 268, DATED FEBRUARY 1, 1971, WHICH
CREATED A TECHNICAL COMMITTEE TO DETERMINE THE TRUE AND CORRECT
BOUNDARIES BETWEEN ZAMBOANGA CITY, ZAMBOANGA DEL NORTE AND
ZAMBOANGA DEL SUR.

By virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby reconstitute the technical committee created under Administrative Order No. 268 dated February 1, 1971, to determine the true and correct boundaries between Zamboanga City, Zamboanga del Norte and Zamboanga del Sur, as follows:

“Director, Bureau of Coast and Geodetic Survey	Chairman
District Forester of Zamboanga City.....	Member
District Land Officer of Zamboanga City	Member
City Engineer of Zamboanga City.....	Member
District Forester of Zamboanga del Norte	Member
District Land Officers (of two land districts) of Zamboanga del Norte.....	Members
Highway District Engineers (of two Highway Engineering Districts) of Zamboanga del Norte	Member
District Forester of Zamboanga del Sur	Member
District Land Officers (of two District Land Offices) of Zamboanga del Sur.....	Members
Highway District Engineers (of two Highway Engineering Districts) of Zamboanga dle Sur-.....	Members”

The Committee shall submit its report to the Zamboanga City Council and to the Provincial Boards of Zamboanga del Norte and Zamboanga del Sur not later than November 30, 1971.

Done in the City of Manila, this 27th day of July, in the year of Our Lord, nineteen hundred and seventy-one.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1971). *[Administrative Order Nos.: 264 - 316]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 305

CONSIDERING MR. LICERIO P. SENDAYDIEGO RESIGNED FROM OFFICE AS PROVINCIAL TREASURER OF PANGASINAN.

This is an administrative case against Provincial Treasurer Licerio P. Sendaydiego of Pangasinan for dishonesty, neglect of duty and incompetence or inefficiency in the performance of official duties. The charges were investigated by a committee created under Administrative Order No. 175 dated July 14, 1969, which found respondent guilty thereof and recommended that he be considered resigned from office.

The case stemmed from the complaint of Governor Cipriano B. Primicias Jr. of Pangasinan charging respondent with “dishonesty, misconduct, neglect of duty and/or incompetence and inefficiency in the performance of his official duties on the basis of six (6) criminal complaints for malversation of public funds thru falsification of public or official documents filed in the Court of First Instance of Pangasinan against Mr. Sendaydiego and others,” involving the “total amount of ₱132,606.73 allegedly paid under fifteen (15) provincial vouchers on November 8, 1968 (4 vouchers), December 17, 1968 (3 vouchers), February 17, 1969 (2 vouchers), March 31, 1969 (1 voucher), April 28, 1969 (4 vouchers), and April 29, 1969 (1 voucher), to the prejudice of the provincial government of Pangasinan.

In addition, complainant charged respondent with having allegedly conspired with the acting bookkeeper, the provincial auditor and the senior audit clerk in the processing, passing and payment of Provincial Vouchers Nos. 7469 and 2141, amounting to ₱19,130.72 belonging to the Road and Bridge Fund of the provincial government of Pangasinan, thereby enabling Juan Samson also known as Johnny Samson, the alleged representative or collector of Carried Construction Supply Company, to receive and/or collect in cash the said amount by making it appear in said vouchers that the same was in payment of lumber and hardware materials delivered by the company for use in the repair and reconstruction of provincial bridges mentioned therein when in truth and in fact said creditor company never contracted with the Province of Pangasinan to supply any construction material, much less delivered the same or received the amounts covered by the vouchers.

By agreement of the parties, the evidence adduced by the prosecution and the defense during the preliminary investigation and trial on the merits by the Court of First Instance of Pangasinan of the criminal complaints against respondent was adopted and deemed reproduced in the administrative investigation. What actually transpired during the hearings held by the investigating committee was mainly the formal offer by both complainant and respondent of copies of the transcripts of the court proceedings as well as documentary exhibits submitted in the criminal cases, and the cross-examination by respondent of four (4) witnesses who were presented by the prosecution at the trial of the cases.

Pursuant to the judgment rendered on December 9, 1970, by the Court of First Instance of Pangasinan in Criminal Cases Nos. 23349, 23350 and 23351, convicting respondent and his co-defendant Samson of the crime of malversation through falsification of public or official documents as

defined and penalized under Article 217, paragraph 4, in relation to Article 171, paragraphs 2 and 4 of the Revised Penal Code, the investigating committee found respondent guilty of the herein charges.

I am satisfied that the charges against respondent have been duly proven as found by the Court of First Instance of Pangasinan and the investigating committee. In the trial of the criminal cases, the prosecution presented the following six (6) paid provincial vouchers in support of the falsification charge:

DATE	<u>VOUCHERS</u>		<u>PROJECTS</u>
	NO.	AMOUNT	
Mar. 31, 1969	10724	₱16,727.52	Repair of Libertad Baily Bridge along Umingan-Tayug Road
Apr. 28, 1969	11869	₱6,187.28	Reconstruction of Pangasinan Bridge along Umingan-Tayug Road
Apr. 28, 1969	11870	₱9,290.60	Repair of Cabatuan Bridge along Umingan-Guimba Road
Apr. 28, 1969	11871	₱9,769.64	Repair of Casabar Bridge along Binalonan-San Miguel Road
Apr. 28, 1969	11872	₱4,501.38	Repair of Baracbac Bridge along Umingan-Guimba Road
Apr. 29, 1969	11955	₱14,571.81	Repair of Bayabas Bridge along Urbiztondo-Pasibi Road

The above-specified six (6) vouchers were purportedly signed by the following persons: (1) Salvador F. Oropilla, senior civil engineer; (2) Rodolfo P. Mencias, supervising civil engineer; (3) Ricardo Primicias, representative of the provincial governor; (4) Victoriano Sevilleja, acting provincial engineer (on Voucher No. 10724 only); (5) Licerio P. Sendaydiego, provincial treasurer; (6) Anastacio Querimit, provincial auditor; and (7) Johnny Samson, alleged representative of the Carried Construction Supply Company.

However, except for the signatures of respondent and his two (2) co-accused, Samson and Querimit, those of Oropilla, Mencias, Primicias, Sevilleja and two (2) others appearing on the questioned vouchers and the supporting papers accompanying Voucher No. 10724 were found as forgeries. Considering that it was Samson who handcarried the vouchers and their supporting papers from office to office for processing and signature by the above-named persons, the lower court correctly found that it was Samson who committed the forgery of the questioned signatures and documents and eventually received the corresponding amounts from respondent who was not totally unaware thereof.

Upon the other hand, the court considered the following circumstances as constituting inefaceable proof of respondent's guilt: (1) respondent signed the six (6) vouchers in question ahead of his assistant, Donato Rosete, when under the rules he shall affix his approval under Item No. 3 thereof only after the assistant provincial treasurer had placed his initial thereon upon proper annotation by the property clerk; (2) while he required the payment in check of Vouchers Nos. 11885 and 10729, among others, involving smaller amounts in favor of a certain lumber company, he discarded the usual mode of paying claims by checks in the case of subject vouchers which involved bigger amounts issued in the name of Carried Construction Supply Company by allowing their payment in cash; and (3) he allowed his co-defendant Samson to receive directly in cash on different dates the total amount of ₱60,997.52 covered by the six (6) vouchers in question without demanding of the latter a power of

attorney and without requiring the presence of witnesses to Samson's receipt thereof, in violation of Section 255 in relation to Section 191 of the Revised Manual of Instructions to Treasurers.

In effecting the herein illegal disbursement of public funds, respondent violated Section 3 of Republic Act No. 2264 (Local Autonomy Act) when he approved the purchases covered by Vouchers Nos. 10724, 11869, 11770, 11871 and 11955 involving more than ₱5,000 in each case without the benefit of public bidding, and without conducting any canvass of the prices in the case of the purchase represented by Voucher Nos. 11872 involving the sum of ₱4,501.38. Then, too, he deliberately ignored Section 752 of the Manual which requires that "the physical checking upon delivery of the supplies and materials should, for audit purposes, be witnessed by representatives of the provincial or city auditor and the provincial or city treasurer concerned" when he failed to cause the inspection by his checkers of the construction materials supposed to have been delivered to various bridge sites by the Carried Construction Supply Company.

Wherefore, and as recommended by the investigating committee, Mr. Licerio P. Sendaydiego is hereby considered resigned from office as Provincial Treasurer of Pangasinan, effective upon receipt of a copy of this decision.

Done in the City of Manila, this 10th day of August, in the year of Our Lord, nineteen hundred and seventy-one.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) ALEJANDRO MELCHOR

Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1971). *[Administrative Order Nos.: 264 - 316]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 306
DIRECTING GOVERNMENT AGENCIES CONCERNED TO IMPLEMENT THE GUIDELINES
PRESCRIBED BY THE NATIONAL EXPORT COORDINATING CENTER TO REGULATE THE
SHIPMENT OF IMPORT AND EXPORT SAMPLES.

WHEREAS, there is an urgent need to prescribe the standards and value of export and import samples; and

WHEREAS, the prescription of standards and value of export and import samples is urgently needed to stop the violation of the Customs and Central Bank rules and regulations on exports and imports;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law do hereby direct the Central Bank, the Bureau of Customs and the following Government Commodity agencies connected with Exports:

- a. Philippine Tobacco Administration
- b. Philippine Virginia Tobacco Administration
- c. Parks and Wildlife Office
- d. Bureau of Fiber Inspection
- e. Philippine Coconut Administration
- f. Philippine Fisheries Commission
- g. Bureau of Animal Industry
- h. Food and Drug Administration
- i. National Cottage Industries Development Authority
- j. Bureau of Plant Industry
- k. Bureau of Standards
- l. Bureau of Internal Revenue
- n. Sugar Quota Administration, other Quota Products Division

to fully implement the attached Guidelines prescribed by the National Export Coordinating Center to regulate the shipment of Philippine Export Samples to foreign buyers and the handling and disposition of import samples by customs examiners (Annex A).

The National Export Coordinating Center is likewise hereby directed to coordinate the full implementation of the said Guidelines.

This order shall take effect immediately.

Done in the City of Manila this 31st day of August, in the year of Our Lord, nineteen hundred and seventy-one.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1971). *[Administrative Order Nos.: 264 - 316]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 307
EXONERATING MUNICIPAL JUDGE FEDERICO U. CRUZ OF MAPANDAN, PANGASINAN.

This is an administrative case filed by Mrs. Rosario G. Vda. de Fernandez against Municipal Judge Federico U. Cruz of Mapandan, Pangasinan, for (1) complicity in the commission of a crime and (2) partiality and ignorance of the law. The case was formally investigated by District Judge Sixto A. Domondon of the Court of First Instance of Pangasinan who found respondent not guilty of the charges and recommended that he be exonerated, in which the Secretary of Justice concurs.

With respect to the first charge, complainant alleges that her husband, Jose Fernandez, was liquidated upon the instigation and inducement of respondent, as a result of which Criminal Case No. D-1995 for murder was filed against him and another in the Court of First Instance of Pangasinan. The record shows, however, that the case was dismissed insofar as respondent was concerned for insufficiency of evidence. His alleged threatening remarks against the deceased by themselves do not in any way prove his complicity in the commission of the crime.

Anent the second charge of partiality and ignorance of the law, complainant claims that respondent caused the arrest and incarceration of her husband, Jose Fernandez, for the light offense of public scandal and fixed an excessive bail bond of ₱1,000 for his provisional liberty. The Secretary of Justice agrees with the finding of the District Judge-Investigator that respondent could not have caused the arrest of Fernandez. Complainant's own witness, Domingo Alican, testified that when respondent saw Fernandez in the afternoon of March 3, 1965, the latter was already in or near the office of the chief of police and that the corresponding complaint for public scandal against him had already been prepared prior to respondent's arrival thereat.

Neither is there merit that respondent fixed an excessive bail bond of ₱1,000 for Fernandez' provisional release. The crime of public scandal with which Fernandez was charged is punished under Article 153 of the Revised Penal Code with arresto mayor in its medium period to prision correccional in its minimum period and a fine not exceeding ₱1,000. The bail bond recommended by the chief of police was ₱5,000 but respondent motu proprio reduced the same to ₱1,000. Pursuant to Circular No. 47 of the Department of Justice dated July 5, 1946, the bail bond should have been at least ₱2,000 if computed on the basis of minimum of the medium period of the imposable penalty.

Wherefore, and as recommended by the Secretary of Justice and the District Judge-Investigator, respondent is hereby exonerated from the charges.

Done in the City of Manila, this 31st day of August, in the year of Our Lord, nineteen hundred and seventy-one.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1971). *[Administrative Order Nos.: 264 - 316]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 308
EXONERATING MUNICIPAL JUDGE CATALINA F. MONTERROYO
OF SAN REMIGIO, CEBU.

This is an administrative case filed against Municipal Judge Catalina F. Monterroyo of San Remigio, Cebu, by Zenon Lirasan for grave abuse of discretion, oppression and ignorance of the law. The case was formally investigated by Executive Judge Guillermo P. Villasor of the Court of First Instance of Cebu who found respondent not guilty of the charges and recommended her exoneration, in which the Secretary of Justice concurs.

The charges stemmed from Criminal Case No. 868 charging complainant, then a policeman, with slight physical injuries in a complaint filed by the chief of police in the municipal court of San Remigio, Cebu, on August 1, 1967. As a result of the filing of the case, herein complainant was suspended from office pending final disposition thereof by the court.

As regards the charges of grave abuse of discretion and oppression, complainant alleges that he was denied by respondent speedy trial by delaying for five (5) months the trial of Criminal Case No. 868, contrary to the injunction in Republic Act No. 4864 (Police Act of 1966) requiring that the trial and disposition of criminal cases against members of the police force shall be accorded priority by the courts. She likewise allegedly transgressed Section 8, Rule 5 of the New Rules of Court, which forbids adjournment of hearings for a longer period than five (5) days for each adjournment, nor more than fifteen (15) days in all. It is further alleged that she so acted because Atty. Gerardo M. S. Pepito, private prosecutor in said case, was the mayoralty candidate and running mate of her husband under the LP banner during the 1967 local elections, while complainant was appointed policeman by the incumbent mayor; and that by reason of such political alignment, respondent had displayed undue interest in the case by denying his motion to dismiss it.

The record discloses that the case was filed with respondent's court on August 1, 1967 (Exh. "A"). Arraignment and hearing were set on August 23 and 24, 1967, which were postponed to September 17, 1967, upon joint motion of Atty. Teodoro Cabilan, counsel for the accused, and the private prosecutor. However, pursuant to the manifestation of Atty. Cabilan that he was going to Manila to attend to urgent personal matters, respondent set the case for hearing on October 13 and 14, 1967. In said dates the trial was again postponed upon petition of the private prosecutor, with the conformity of counsel for the accused, because he had to appear in Civil Case No. 3833 in Davao City. Again, the case was set for hearing on November 21 and 22, 1967, which had to be postponed for failure of the private prosecutor to receive properly the notice thereof. On January 8, 9 and 10, 1968, hearings were held but had to be adjourned upon request of Atty. Cabilan, as one of his material witnesses was not available. The case was finally decided by respondent on February 22, 1968.

After a careful review of the case, I agree with the findings of the District Judge-Investigator, concurred in by the Secretary of Justice, that respondent is not guilty of the charges. In granting postponements in Criminal Case No. 868, respondent reasonably exercised her discretion, which was not inconsistent with the ends of justice and the right of herein complainant to a speedy trial.

Anent the charge that respondent showed undue interest in the case by not disqualifying herself, suffice it to state that the relationship between her and Atty. Pepito brought about by the political persuasions of her husband is not a legal ground for inhibition as provided under Section 1, Rule 137 of the New Rules of Court. At any rate, respondent's husband ran for vice-mayor under the Nacionalista Party ticket and his running mate for mayor, Atty. Pepito, under the Liberal Party banner.

There is, likewise, no basis for the charge of ignorance of the law for there is no legal requirement to give notice to the private prosecutor of all proceedings in the case. Moreover, it is worth mentioning that respondent's judgment convicting the complainant was affirmed on appeal by the Court of First Instance of Cebu.

In view of the foregoing, and as recommended by the Secretary of Justice and the District Judge-Investigator, Municipal Judge Catalina F. Monterroyo of San Remigio, Cebu, is hereby exonerated from the charges.

Done in the City of Manila, this 31st day of August, in the year of Our Lord, nineteen hundred and seventy-one.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) ALEJANDRO MELCHOR

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1971). *[Administrative Order Nos.: 264 - 316]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 309
EXONERATING FORMER REGISTER OF DEEDS SOLIMAN ACHACOSO OF ZAMBALES.

This refers to the administrative case against Mr. Soliman Achacoso, deceased Register of Deeds of Zambales, and Mr. Felix Miclat, senior clerk of the same office, for grave misconduct and neglect of duty.

It appears that on February 4, 1967, Mrs. Arminda Dayohoy filed a sworn complaint against respondents charging them with (1) misconduct in office on four (4) counts committed as follows: (a) that respondents refused to register certain documents covering a parcel of land purchased by her on the ground that the price thereof was very inadequate and that they tried to convince her to sell the lot to them; (b) that respondent Achacoso in an arrogant and angry mood threw her papers on the table and said, “Istorbo ka,” in the presence of several persons when she insisted on the entry and registration of said documents; (c) that respondents demanded from her ₱1,000 to facilitate the registration of her documents; and (d) that they connived with each other in registering a deed of sale of the same lot in favor of respondent Miclat and in issuing to the latter the corresponding transfer certificate of title; and (2) neglect of duty for refusing to register the aforesaid documents in her favor and failure to issue the corresponding transfer certificate of title and true copies of certain documents needed by her.

Respondent Miclat not being a presidential appointee, this decision will be confined to the case as against respondent Achacoso.

After the formal investigation of the case but prior to the submittal by the investigator to the Land Registration Commission of his report and recommendation dated September 18, 1969, respondent Achacoso died on October 4, 1968. On August 8, 1969, Mrs. Graciosa B. Achacoso, widow of respondent, requested then Justice Secretary (now Secretary of National Defense) Juan Ponce Enrile that her deceased husband be cleared of the charges so as to enable her to collect the retirement gratuity due him. Said request was referred to the Land Registration Commissioner who, on October 13, 1969, informed the Secretary that the pertinent papers of the case against respondent were already forwarded to the Department of Justice on October 3, 1969, together with his recommendation that respondent Achacoso “be absolved from the charges filed against him,” in view of the findings of the investigator that the charges have not been substantiated, and that the deceased “was not issued a certificate of clearance by this Commission because of this pending administrative case.”

A perusal of the record shows that as regards the charge of grave misconduct, the prosecution concentrated in proving that respondent displayed arrogance towards complainant on April 29, 1966, and that on the same date and sometime in November 1966 he demanded money from her.

This Office agrees with the findings of the Secretary of Justice that the testimony of the prosecution witnesses does not deserve credit. It is highly improbable that respondent Achacoso could have scolded complainant in front of several people on April 29, 1966. On the contrary, the evidence logically suggests that respondent was irked by complainant’s persistence in registering the documents in question; that an argument ensued between them over the registrability thereof, which prompted both to raise their voices; and that the discussion was abruptly ended by respondent when he told her

to enter the documents. Equally improbable is the charge that subject respondent demanded money from complainant as claimed by the latter and her two (2) witnesses. In the ordinary course of human conduct one does not make an unscrupulous proposition in front of a witness such as what was imputed to respondent.

Neither could respondent be held liable for not registering the documents in question, it appearing that his refusal to do so was based on complainant's failure to present supporting papers and/or documents to warrant their registration in accordance with law.

Finally, as regards the last charge, respondent could not have issued, even if he wanted to, the certified true copies of certain documents requested by complainant for the simple reason that the documents to be copied were at the time already transmitted to the Land Registration Commission in connection with the consulta filed therein by complainant. To accede to her request would have been next to impossible.

Wherefore, and as recommended by the Secretary of Justice, respondent is hereby exonerated from the charges.

Done in the City of Manila, this 1st day of September, in the year of Our Lord, nineteen hundred and seventy-one.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) ALEJANDRO MELCHOR

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1971). *[Administrative Order Nos.: 264 - 316]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 310
CREATING AN AD HOC CABINET COMMITTEE ON RICE.

An Ad Hoc Cabinet Committee is hereby created to inquire immediately into the various problems arising out of the present rice situation and to recommend appropriate solutions therefor, to be composed of the following:

Hon. Arturo Tanco	–	Chairman
Secretary of Agriculture and Natural Resources		
Hon. David Consunji	–	Member
Acting Secretary of Public Works and Communications		
Hon. Troadio Quiazon	–	Member
Acting Secretary of Commerce and Industry		
Hon. Efren Plana	–	Member
Acting Secretary of National Defense		
Hon. Roberto V. Reyes	–	Member
Acting Executive Secretary		
Hon. Vicente Paterno	–	Member
Chairman, Board of Investments		
Hon. Jose Drilon	–	Member
Undersecretary for Agriculture		

The Committee shall inquire into the feasibility of adopting effective counter-measures to the present rice shortage in the country, with a view to preventing such rice shortages in the future, including the following:

1. The confiscation of hoarded rice stocks;
2. The prosecution of cases involving violations of the Price Control Law, Act No. 4164 authorizing the President to proclaim a state of public calamity in certain cases, and pertinent provisions of the Revised Penal Code;
3. The improvement of the present system of monitoring, collating and evaluating statistical data on rice production;
4. The formulation of an integrated system capable of insuring an effective nation-wide program of rice procurement and distribution.

The Committee shall have the power to call upon any department, bureau, office, agency or instrumentality of the Government, including government-owned or controlled corporations for such assistance as it may need for the successful prosecution of its functions.

The Committee is enjoined to submit its reports and its recommendations to the President as soon as practicable.

Done in the City of Manila, this 1st day of October, in the year of Our Lord, nineteen hundred and seventy-one.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) ROBERTO V. REYES

Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1971). *[Administrative Order Nos.: 264 - 316]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 311
FURTHER AMENDING ADMINISTRATIVE ORDER NO. 130 DATED JUNE 18, 1968,
ENTITLED “CREATING THE TELECOMMUNICATIONS DEVELOPMENT BOARD”

The composition of the Telecommunications Development Board created under Administrative Order No. 130 dated June 18, 1968, is hereby further amended to read as follows:

Brigadier General Ceferino S. Carreon (Ret.).....	Chairman
The Director of Telecommunications.....	Member
An Official of a Private Telecommunications Company to be appointed by the President.....	Member
The President, Philippine Chamber of Communications.....	Member
The General Manager, Philippine Broadcasting Service	Member
The Chief Signal Officer, Armed Forces of the Philippines	Member
The Chief, Radio Control Office.....	Member

Done in the City of Manila, this 4th day of October, in the year of Our Lord, nineteen hundred and seventy-one.

(Sgd.) **FERDINAND E. MARCOS**

By the President:
(Sgd.) **ROBERTO V. REYES**
Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1971). [*Administrative Order Nos.: 264 - 316*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 312
CREATING A SPECIAL EVALUATION AND AWARDS COMMITTEE TO EVALUATE ALL BID
PROPOSALS AND RECOMMEND AWARD OF CONTRACT IN CONNECTION WITH THE
IMPLEMENTATION OF THE PHILIPPINE-JAPAN HIGHWAY LOAN PROJECTS

To insure a coordinated and expeditious implementation of the Philippine-Japan Highway Loan (PJHL) project, there is hereby created a Special Evaluation and Awards Committee which shall evaluate all bid proposals and contract documents and to recommend award of contract in connection with the prosecution of the PJHL Project, composed of the following:

Representative of the Commissioner of Public Highways ----- Chairman
Representative of the Secretary (DPWC) ----- Member
Representative of the PJHL Office ----- Member
Representative of the Contractors ----- Member

The inclusion of the representative of the Contractors as member of this committee will be for the purpose of including himself only in the deliberation of the committee as it affects the private sector and will have no vote.

All bid proposals for the construction of the Philippine-Japan Highway Loan Project shall no longer be processed or evaluated by existing award committees in the Bureau of Public Highways, Department of Public Works and Communications, the Presidential Economic Staff and the Permanent Cabinet Committee on Public Bidding, but automatically transferred to the jurisdiction of this Special Evaluation and Awards Committee which shall process and evaluate same in accordance with existing laws or rules applicable thereto.

Administrative Order No. 244 dated October 13, 1970 is hereby revoked.

Done in the City of Manila, this 7th day of October, in the year of our Lord, Nineteen Hundred and Seventy One.

(Sgd.) **FERDINAND E. MARCOS**

By the President:

(Sgd.) **ROBERTO V. REYES**

Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1971). *[Administrative Order Nos.: 264 - 316]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 313
CREATING THE SPECIAL RIZAL DAY CELEBRATION COMMITTEE

In order to ensure the successful celebration throughout the Philippines of this year's death anniversary of Dr. Jose P. Rizal on December 30, there is hereby created a special committee to take charge of all arrangements for the festivities composed of the following:

Secretary Juan Manuel	Chairman
Secretary Alejandro Melchor	Vice-Chairman
Press Secretary Francisco Tatad.....	Member
Budget Commissioner Faustino Sy-Changco.....	Member
Justice Claudio Teehankee (Supreme Commander, Knights of Rizal)	Member
Undersecretary Baltazar Aquino.....	Member
Labor Undersecretary Amado Inciong.....	Member
Assistant Executive Secretary Flores Bayot	Member
OEC Deputy Administrator Severino Salang	Member
Mayor Antonio J. Villegas	Member
BTTI Commissioner Gregorio Araneta II.....	Member
Dr. Esteban de Ocampo (National Historical Commission)	Member
Mrs. Leticia de Guzman (President, Civic Assembly of Women of the Philippines)	Member
Mr. Teodoro Valencia	Member
Mr. Cristobal Osoteo.....	Member-Secretary

The Committee shall meet at the call of the Chairman and, for the purpose of discharging its functions, may create such sub-committees as may be necessary.

The Committee is hereby authorized to call upon any department, bureau, office, agency or instrumentality of the Government, including government-owned or controlled corporations, for such assistance as it may need in discharging its duties and functions.

Done in the City of Manila, this 29th day of November, in the year of Our Lord, nineteen hundred and seventy-one.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1971). *[Administrative Order Nos.: 264 - 316]*. Manila: Malacañang Records Office.

MALACANANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 314
REMOVING MR. SALVADOR M. GAA FROM OFFICE AS ASSISTANT CITY FISCAL OF
MANILA.

This is an administrative case against Assistant City Fiscal Salvador M. Gaa of Manila filed by Angel Alora for grave misconduct and/or conduct prejudicial to the best interest of the service. The case was formally investigated by State Prosecutor Jesus R. de Vega of the Department of Justice.

The case was the offshoot of criminal complaint I.S. No. 69-18444 for slight physical injuries filed by herein complainant against Valentin Samonte before the City Fiscal's Office of Manila on August 12, 1969. On August 22, 1969, respondent set the case for investigation, which was later postponed to September 9, 1969. However, on September 5, 1969, respondent dismissed the case for lack of merit and insufficiency of evidence even before he had terminated the preliminary investigation thereof. On October 2, 1969, complainant filed with the City Fiscal's Office a motion for reconsideration, which was denied by First Assistant City Fiscal Carlos C. Gonzales who concurred in the finding and recommendation of respondent. Fiscal Gonzales' finding and recommendation was likewise concurred in by Second Assistant City Fiscal Roberto D. Cabrera and thereafter approved by City Fiscal Jose L. Gamboa.

Not satisfied with the decision, complainant appealed personally to this Office on October 14, 1969, seeking assistance in the reinvestigation of the case, which was accordingly referred for appropriate action to the City Fiscal of Manila. On the same day, complainant filed a letter-complaint with the Secretary of Justice assailing the legality and/or regularity of the dismissal of the case because of respondent's apparent bias in the disposition thereof.

On November 3, 1969, the Department of Justice required respondent to submit his comment on said complaint. In his letter-answer dated November 19, 1969, respondent denied the charge and claimed that he dismissed the case for insufficiency of evidence because (a) the complaint did not conform to the regulations of the City Fiscal's Office that the complaint be subscribed before the investigating fiscal, as it was subscribed and sworn to before a notary public; (b) the medical certificate was not formally offered in evidence; and (c) the affidavit of the accused, Valentin Samonte, clearly showed that the injury sustained by complainant was due to his own fault.

A preliminary inquiry into the records of the case was made by State Prosecutor Jesus R. de Vega who found respondent's explanation unsatisfactory and lacking in merit, as there was an evident pattern indicating that he acted with questionable bias and partiality in his investigation and resolution of the case. In view thereof, he recommended that respondent be formally investigated and charged with grave misconduct and/or conduct prejudicial to the best interest of the service.

The formal investigation of the case was conducted on February 25 and March 13, 1971. On the latter date and when complainant was supposed to be cross-examined by respondent, complainant's counsel submitted an "Affidavit of Desistance" (Exh. H) signed by complainant dated February 22, 1971, virtually absolving respondent from the charges and asking that he be commended for dismissing the case. Thereafter, the parties submitted the case for decision with a prayer for the dismissal thereof.

After a careful review of the case, I agree with the Secretary of Justice that complainant's affidavit of desistance does not warrant the dismissal of the instant administrative case against respondent. It is a settled rule in administrative proceedings that when a case is filed against a government employee, it ceases to be private in nature and becomes an offense against public interest whereby the Department of Justice may motu proprio initiate the corresponding investigation, the complainant being considered a mere witness.

Likewise, the affidavit of desistance does not ipso facto discharge respondent from any liability if the record shows preponderant evidence of his guilt. Alora's sworn complaint and the supporting medical certificate present an actionable or prima facie case for slight physical injuries so that when respondent dismissed the case on September 5, 1969, or before the scheduled hearing on September 5, 1969, he acted precipitately and with clear bias and/or abuse of discretion.

Respondent's claim that the complaint was not subscribed before the investigating fiscal and that the medical certificate was not offered in evidence is untenable. Granting that the complaint was not subscribed before respondent, it was easy to rectify the error by having it re-subscribed before him. The medical certificate need not be formally offered in evidence, as it formed part of the record and could be judicially taken cognizance of, or respondent could have advised complainant to offer it in evidence. Such minor defects in form and procedure could have been corrected if respondent was really cognizant of his duty. It is therefore clear that these flimsy grounds were raised by respondent to conceal his bias created by complainant's refusal to settle the case amicably as repeatedly broached by him. Consequently, in giving credence to the affidavit of the accused that he did not inflict any physical injury on complainant, respondent acted with questionable partiality in his investigation and resolution thereof. Respondent's allegation that he still continued the hearing set for September 9, 1969, after he had already dismissed Alora's complaint on September 5, 1969, is grossly misleading.

In view of the foregoing, I find respondent guilty of the charges which warrant his dismissal from the service.

WHEREFORE, and as recommended by the Secretary of Justice and the investigator, Mr. Salvador N. Gaa is hereby removed from office as Assistant City Fiscal of Manila, effective upon receipt of a copy of this order.

Done in the City of Manila, this 29th day of November, in the year of Our Lord, nineteen hundred and seventy-one.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1971). [Administrative Order Nos.: 264 - 316]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 315

CREATING AN EXECUTIVE COMMITTEE TO TAKE CHARGE OF THE PLANNING AND EXECUTION OF COMMEMORATIVE ACTIVITIES FOR THE 30TH ANNIVERSARY OF THE FALL OF BATAAN AND THE FALL OF CORREGIDOR.

WHEREAS, the Fall of Bataan and the Fall of Corregidor are historic milestones in our nationhood;

WHEREAS, it is deemed fitting and proper to commemorate these historic events with appropriate activities and/or ceremonies in order to impress our people as well as the rest of the world of the efforts and sacrifices of those who fought and died during the crucial struggle for freedom and democracy, and of the transcending significance of such struggle in our national undertakings and aspirations;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby constitute and create an Executive Committee to formulate plans and devise ways and means for the successful execution of appropriate activities and/or ceremonies for the commemoration of the 30th anniversary of the Fall of Bataan and the Fall of Corregidor. The Committee shall be composed of the following:

Secretary David Consunji	–	Chairman
Department of Public Works and Communications		
Asst. Exec. Sec. Roberto V. Reyes	–	Co-Chairman
Office of the President		
General Romeo Espino	–	Vice-Chairman
Armed Forces of the Philippines		
Chairman Teodoro Peña	–	Member
Foreign Trade Zone Authority		
Commissioner Gregorio Araneta	–	Member
Board of Travel & Tourist Industry		
Administrator Mario Reyes	–	Member
Department of Commerce & Industry		
Colonel Simeon Medalla	–	Member
Veterans Federation of the Philippines		
Acting Commr. Jacob Tagorda	–	Member
Bureau of Public Highways		
Director Alejandro Deleña	–	Member
Bureau of Public Works		
Mr. Esteban Cabanos	–	Member
Philippine Veterans Bank		

Colonel Epifanio Reymundo	–	Member
Civil Aeronautics Administration		
Colonel Manuel A. Acosta	–	Member/Secretary
National Shrines Commission		

The Committee is empowered to call upon any department, bureau, office, agency or instrumentality of the government for such assistance as it may need, and to create such committee, sub-committee or staffs as may be necessary.

Done in the City of Manila, this 6th day of December, in the year of Our Lord, nineteen hundred and seventy-one.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1971). *[Administrative Order Nos.: 264 - 316]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 316
AMENDING THE COMPOSITION AND FUNCTIONS OF THE TELECOMMUNICATIONS
DEVELOPMENT BOARD.

The composition and functions of the Telecommunications Development Board created under Administrative Order No. 130 dated June 18, 1968, as amended under Administrative Orders No. 139 and 224 dated 9th September, 1968 and 29th June, 1970 respectively, are hereby amended as follows:

The Secretary of Public Works and Telecommunications	Chairman
Representative of the National Economic Council	Vice-Chairman
Representative of Public Service Commission	Member
The Director, Bureau of Telecommunications	Member
The Chief, Communication-Electronics, AFP	Member
Representative of Philippine Domestic Carrier	Member
Representative of Philippine International Carrier	Member
An Official, Philippine Chamber of Communications, Inc.,	Member
Representative, Radio & TV Broadcasting Association	Member

The Board shall be under the administrative supervision and control of the Secretary of Public Works and Communications who shall provide adequate financial support for its efficient operation.

The Chairman of the Board shall appoint an Executive Director and personnel necessary for its administrative and technical operations.

The Board is hereby empowered:

1. To study and plan the integration of the existing facilities and development programs of the public and private sectors operating telecommunication services thereby insuring an orderly and economic development of the country.
2. To advise the Public Service Commission on effective rules and regulations on technical and operational standards conforming to CCIT'S (Consulative Committees on International Telecommunications) recommendations for proper coordination of services in accordance with Sections 13 and 16 (b) of the Public Service Act.
3. To extend technical assistance and advice to government banking institutions in assessing technical aspects of loan applications for telecommunication services development to ensure the economic usage of funds granted and to avoid duplication of services facilities.
4. To maintain a complete record of technical facilities and equipment in the Philippines and of traffic data for national and international services.
5. To undertake such other duties as required by the President.

6. To submit recommendations on matters of national importance pertaining to decisions of the board, as well as semi-annual reports, to the President.

Done in the City of Manila, this 6th day of December, in the year of Our Lord, nineteen hundred and seventy-one.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) ALEJANDRO MELCHOR

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1971). *[Administrative Order Nos.: 264 - 316]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 317
AMENDING ADMINISTRATIVE ORDER NO. 315 DATED DECEMBER 6, 1971.

Administrative Order No. 315 dated December 6, 1971, creating an Executive Committee to take charge of the Planning and Execution of Commemorative Activities for the 30th Anniversary of the Fall of Bataan and the Fall of Corregidor, is hereby amended by designating additional members of the Executive Committee. Accordingly, the composition of the Committee shall be as follows:

The Secretary of Public Works and Communications	Chairman
The Asst. Exec Secretary for Financial and Economic Affairs	Co-Chairman
The Vice Chief of Staff Armed Forces of the Philippines.....	Vice-Chairman
The Chairman, Foreign Trade Zone Authority	Member
The Commissioner of Tourism	Member
The Officer-in-Charge Office of the Undersecretary of Industry	Member
The President Veterans Federation of the Philippines.....	Member
The Commissioner of Public Highways	Member
The Director of Public Works	Member
The President Philippine Veterans Bank	Member
The Director of Civil Aviation	Member
The Deputy Commissioner of the Budget	Member
The Provincial Governor of Bataan	Member
The National Commander Defenders of Bataan and Corregidor.....	Member
The Executive Director, National Shrines Commission	Member/Secretary

Done in the City of Manila, this 31st day of January, in the year of Our Lord, nineteen hundred and seventy-two.

(Sgd.) **FERDINAND E. MARCOS**

By the President:
(Sgd.) **ALEJANDRO MELCHOR**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1972). *[Administrative Order Nos.: 317 - 348]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 318
CREATING A SPECIAL COMMITTEE ON NARCOTICS

WHEREAS, narcotic addiction has increasingly become a major social problem;

WHEREAS, the social malady threatens to corrupt and degrade the youth and student population, and undermine society and the economy as well;

WHEREAS, there is an urgent need to formulate and adopt preventive, curative, rehabilitative and developmental measures to repel and contain this social menace before it goes out of control to the detriment of our national interest and public welfare.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby create a special committee on narcotics to be composed of the following:

The Secretary of Justice or his representative	Chairman
The Solicitor General or his representative	Vice Chairman
The Secretary of Health or his representative	Member
The Secretary of Education or his representative	Member
The Secretary of Social Welfare or her representative	Member
The Secretary of Finance or his representative	Member
The Commissioner of the Budget or his representative	Member
The Chief of Constabulary or his representative	Member

The Committee shall have the following functions:

1. To study ways and means of preventing and controlling the spread of narcotics addiction and the rehabilitation and treatment of drug addicts;

2. To coordinate the efforts and activities of different agencies involved in the campaign against this serious menace, by roughly dividing its work into:

- a) Preventive Aspect: – involving education and orientation of the youth and the community as a whole on the evils of narcotics addiction and its effective control;
- b) Treatment and Rehabilitation: – involving medical treatment of addicts, shelter aid or residential services and social services and counseling after care;
- c) Developmental: – involving vocational training, employment, staff development, evaluation and research.

3. To take charge and custody of all prohibited and dangerous drugs and drug paraphernalia seized or confiscated by or surrendered to any national, provincial or local law enforcement agency, if no longer needed for purposes of evidence court; and to order the destruction or condemnation of same;

4. To promote an extensive, scientific, clinical, social, psychological, physical and biological research on prohibited and dangerous drugs;

5. To propose or recommend necessary legislation and measure by which narcotics addiction may be effectively controlled and prevented;

6. To perform such other functions as the President may, from time to time, direct.

The Committee may request any department, bureau, office, agency or instrumentality of the government for such assistance as it may need in the performance of its functions.

Done in the City of Manila, this 8th day of February, in the year of Our Lord, nineteen hundred and seventy-two.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) ALEJANDRO MELCHOR

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1972). *[Administrative Order Nos.: 317 - 348]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

ADMINISTRATIVE ORDER NO. 319
CONSTITUTING A TECHNICAL PANEL WITH AUTHORITY TO NEGOTIATE FOR A 1972
PL-480 AGREEMENT FOR THE PHILIPPINE GOVERNMENT

A Philippine Technical Panel is hereby constituted with the authority to negotiate with its United States counterpart, for a 1972 PL-480 Agreement. The Panel will be composed of the following:

Mr. Ruben Ancheta	-----	Chairman
Presidential Economic Staff		
Mr. Sergio Barrera	-----	Member
Department of Foreign Affairs		
Mr. Bienvenido Villavicencio	-----	Member
National Economic Council		
Mrs. Angelina Tiangco	-----	Member
Central Bank of the Philippines		
Mrs. Alicia Reyes	-----	Member
Development Bank of the Philippines		

Done in the City of Manila, this 29th day of February, in the year of Our Lord nineteen hundred and seventy-two.

(Sgd.) **FERDINAND E. MARCOS**

By the President:
(Sgd.) **ALEJANDRO MELCHOR**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1972). *[Administrative Order Nos.: 317 - 348]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 320
REVOKING THE EFFECTIVITY OF ADMINISTRATIVE ORDER NO. 111, DATED
NOVEMBER 2, 1964.

By virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby revoke Administrative Order No. 111, dated November 2, 1964, authorizing the Maharlika Insurance Co., Inc., to become a surety upon official recognizances, stipulations, bonds and undertakings, it appearing that said company is indebted to the Government in the amount of ₱788,656.00 representing writs of execution for confiscated bail bonds in criminal cases.

Done in the City of Manila, this 1st day of March, in the year of Our Lord, nineteen hundred and seventy-two.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1972). *[Administrative Order Nos.: 317 - 348]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 321
AMENDING ADMINISTRATIVE ORDER NO. 318 DATED FEBRUARY 8, 1972, ENTITLED
“CREATING A SPECIAL COMMITTEE ON NARCOTICS.”

Administrative Order No. 318 dated February 8, 1972, creating a Special Committee on Narcotics, is hereby amended so as to include the Director of the National Bureau of Investigation or his representative as one of the members of the Committee.

Done in the City of Manila, this 3rd day of March, in the year of Our Lord, nineteen hundred and seventy-two.

(Sgd.) **FERDINAND E. MARCOS**

By the President:
(Sgd.) **ALEJANDRO MELCHOR**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1972). *[Administrative Order Nos.: 317 - 348]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 322
CREATING A SPECIAL COMMITTEE TO PURSUE THE IMPLEMENTATION OF THE MANILA
BAY ROAD PROJECTS.

In view of the need to implement the Manila-Cavite Coastal Road Projects and the Manila-Bataan Coastal Road Projects, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby create a Special Committee in the Bureau of Public Highways composed of the following:

Mr. BERNARDO L. APOSTOL, Chief Highway Engineer.....	Chairman
Mr. LEONCIO O. LIMJUCO, Chief Administrative Division	Member
Mr. ALFREDO BUENAVENTURA, Chief Construction Division....	Member
Mr. JAIME P. RESULTAN, Head Executive Assistant	Member
Mr. ANTONIO I. GOCO, Chief, Limited Access & Arterial Highway Design Section	Member

The Committee shall be charged with the following duties and functions.

1. To formulate procedures and undertake and/or supervise all necessary preliminary works prior to actual implementation of the projects.
2. To submit preliminary plans for the projects in two weeks.

In view of the multi-agencies required to implement the above projects, this Committee is hereby authorized to get assistance from other agencies, particularly the Bureau of Public Works (Ports and Harbors Unit, Electrical Unit) and the Metropolitan Waterworks and Sewerage System (MWSS).

All departments, bureaus, offices, agencies and instrumentalities of the Government, including government-owned or controlled corporations, and local government instrumentalities are hereby directed to extend assistance to the Committee or any of its duly authorized members, whenever assistance is sought in connection with the work of the Committee.

Done in the City of Manila, this 3rd day of March, in the year of Our Lord, nineteen hundred and seventy-two.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1972). *[Administrative Order Nos.: 317 - 348]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 323

CONDONING ALL BACK RENTALS, PENALTIES AND SURCHARGES, IF ANY, DUE FROM
TENANTS AND OCCUPANTS OF THE C. LERMA AND R. PAPA SUBDIVISION IN THE CITY
OF MANILA

WHEREAS, the former alien-owned property better known as the C. LERMA and R. PAPA SUBDIVISION, (LRC) Psd-98921, Sampaloc District, in the City of Manila, is a national government subdivision under the administration of the Bureau of Building and Real Property Management, Department of General Services;

WHEREAS, the said property was transferred from the Government of the United States to the Republic of the Philippines for a nominal cash consideration, pursuant to the provisions of the Philippine Property Act of 1946 of the United States Congress;

WHEREAS, as a matter of policy in the disposition of the subject property under the provisions of RA No. 477, as amended, the survey and road construction costs shall be added to the appraised value of the land to determine the purchase price of each lot;

WHEREAS, the non-payment of back rentals due from the tenants up to and including April 30, 1968, have accumulated not through their own making but largely due to the delay in the final approval of the subdivision scheme by the proper authorities concerned;

WHEREAS, Section 7, Rule III of Department Order No. 3, series of 1968, of the Department of General Services, expressly provides in part to wit: "However no contract shall be prepared unless back rentals if any, are fully paid;"

WHEREAS, the outstanding rentals including interest have accumulated to such an extent as to be beyond the capacity of the tenants to pay, which will hamper the early execution of the corresponding Deeds of Sale in their favor; and

WHEREAS, for the expeditious execution of the Contract of Sale over the subject residential lots, tenants request the condonation of all back rentals, penalties and surcharges which have become due;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law; and the best interest of the Government so requiring, do hereby order that all unpaid rentals, penalties, surcharges and interest, if any, of the tenants and occupants of said subdivision up to and including April 30, 1968, are hereby condoned and said persons relieved therefrom.

Done in the City of Manila, this 19th day of March, in the year of our Lord, nineteen hundred and seventy-two.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ALEJANDRO MELCHOR JR.
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1972). *[Administrative Order Nos.: 317 - 348]*. Manila: Malacañang Records Office.

TANGGAPAN NG PANGULO NG PILIPINAS
(OFFICE OF THE PRESIDENT OF THE PHILIPPINES)

ADMINISTRATIVE ORDER NO. 324

Subject: Unknown

Date: March, 1972

Remarks: Reserved

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1972). *[Administrative Order Nos.: 317 - 348]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 325

CREATING, UNDER THE OFFICE OF THE EXECUTIVE SECRETARY, THE PRESIDENTIAL COORDINATION COMMITTEE FOR THE IMPLEMENTATION OF THE JOINT GOVERNMENT AND PRIVATE INDUSTRY PROGRAM TO BRING DOWN CURRENTLY HIGH PRICES OF BASIC STAPLE FOOD ITEMS.

WHEREAS, consumer prices of basic food items, constituting the daily food staples of the average wage earner, have increased;

WHEREAS, private industry, cognizant of the inevitable influence that a rising cost of living will have on existing scales of wages, has manifested willingness to cooperate in implementing a plan to bring down the prices of at least the basic ten or dozen main and common food items, by organizing the supply of these items direct to consumer groups through cooperatives;

WHEREFORE, by virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Republic of the Philippines, do hereby create a presidential committee to coordinate the implementation of a joint government and private industry plan to bring down the currently high prices of basic staple food items, the Committee to be composed as follows:

The Executive Secretary	Chairman
The Secretary of Agriculture and Natural Resources	Member
The Secretary of Commerce & Industry	Member
The Governor of the Central Bank	Member
The Director General of the Presidential Economic Staff	Member

To insure effective cooperation from private enterprise, the Committee shall be guided by the communication of the President of the Chamber of Agriculture and Natural Resources of the Philippines, dated April 5, 1972.

Coordination with the private sector shall be effected through a counterpart committee composed of the following:

The President of the Chamber of Agriculture & Natural Resources of the Philippines	Chairman
The President of the Chamber of Commerce of the Philippines	Member
The President of the Philippine Chamber of Industries.....	Member
The President of the National Federation of Women's Clubs, in representation of the consumers	Member

The Committee shall avail of the assistance and cooperation of other departments, agencies and instrumentalities of government, including their bureaus and other subdivisions, whenever necessary in pursuance of the activities under this joint government and private industry effort.

To provide such facilities administrative and technical support to the Committee, the Presidential Economic Staff and the Development Management Staff, are hereby designated as the Coordinating Secretariat. The Secretariat will coordinate the joint efforts involved in:

1. organizing consumer cooperative in both government and private enterprise sectors;
2. organizing producers cooperatives;
3. mobilizing the sources of supply of the aforesaid basic consumer food items; and
4. facilitating and/or expediting regular delivery by private enterprise of said items to the consumer cooperatives in satisfaction of the periodic requirements of the consumer members.

The Committee of the private sector is hereby authorized to assign representatives or personnel to assist the Presidential Committee and maintain liaison therewith or with any of the agencies or offices involved in the implementation of the plan in all levels.

All departments, agencies, and instrumentalities of government are hereby directed to extend utmost and prompt cooperation to both the government and the private sector committees, in consonance with their respective official functions, and/or assistance in personnel, equipment and/or supplies, in pursuance of said plan implementation.

The Presidential Committee shall resolve promptly all problems of implementation and render a weekly progress report to the President. It shall, likewise, from time to time release pertinent information on the prices of the aforesaid basic food items to the public through the Malacañang Press Office.

Done in the City of Manila, on this 9th day of May, 1972.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) ROBERTO V. REYES

Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1972). *[Administrative Order Nos.: 317 - 348]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 326
CREATING A COMMITTEE TO LIAISON WITH THE CATHOLIC BISHOPS CONFERENCE
OF THE PHILIPPINES.

By virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby create a Committee to liaison with the Catholic Bishops Conference of the Philippines, to be composed of the following:

Hon. Ronaldo B. Zamora	–	Chairman
Acting Assistant Executive Secretary		
Hon. Catalino Macaraig	–	Member
Undersecretary of Justice		
Hon. Narciso Albarracin	–	Member
Undersecretary of Education		
Mr. Antonio Locsin	–	Member
Deputy Director-General Presidential Economic Staff		

The Committee shall meet periodically with its counterpart from the Catholic Bishops Conference of the Philippines to discuss matters relating to the following four areas:

1. Government and administrative policies in general;
2. Social action activities, including health, housing and narcotics control;
3. Peace and order; and
4. Public and private education.

The Executive Office shall provide a Secretariat for the Committee.

All departments, bureaus, offices, agencies and instrumentalities of the Government, including government-owned or controlled corporations, and local government instrumentalities are hereby directed to extend assistance to the Committee or any of its duly authorized members, whenever assistance is sought in connection with the work of the Committee.

The Committee shall submit periodic reports and recommendation to the President in regard to its activities.

Done in the City of Manila, this 9th day of May, in the year of Our Lord, nineteen hundred and seventy-two.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ROBERTO V. REYES
Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1972). [*Administrative Order Nos.: 317 - 348*]. Manila: Malacañang Records Office.

MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 327
REPRIMANDING THE HONORABLE JESUS DE VEYRA, DISTRICT JUDGE OF THE COURT
OF FIRST INSTANCE OF MANILA.

This is an administrative case filed with the Supreme Court by the Secretary of Justice against District Judge Jesus de Veyra of the Court of First Instance of Manila for inefficiency, abuse of discretion and violation of laws, rules and regulations. The case was formally investigated by Associate Justice Juan C. Reyes of the Court of Appeals.

The case arose in connection with Criminal Case No. 59840 (for estafa) against Romeo Espiritu y Toledano who was convicted by then District Judge (now Court of Appeals Justice) Magno S. Gatmaitan. The judgement of conviction was appealed to and affirmed by the Court of Appeals and thereafter remanded for execution to the trial court which at that time was presided by respondent. This notwithstanding, respondent set and postponed some forty (40) times the execution of the judgment during the period from August 1965 to October 30, 1970, or for more than five (5) years, and allowed the accused to post an appeal bond twice on September 17, 1968, and October 7, 1969, respectively, after he was arrested and despite the fact that there was no pending appeal, the judgment of conviction having long been affirmed by the Court of Appeals.

Respondent avers that the delay in carrying out the final judgment in the criminal case is attributable to the following: (1) he believes that the administration of justice should be tempered with mercy and the accused given a reasonable period within which to settle his financial affairs so that his family may not be in want during his imprisonment; (2) he was aware that the accused would serve sentence in the city jail of Manila where the conditions are unsanitary and his confinement therein would aggravate his illness or even cause his death, which would be inhuman; (3) the other alternative of having a sick accused confined in a government hospital in Manila was not available due to lack of prison guards; and (4) he had to rely on the faith of the medical certificates under oath presented to him by the accused, the city courts of Manila not equipped with facilities for checking the veracity thereof.

The reasons advanced by respondent did not justify the long delay of more than five (5) years in the execution of the judgment brought about by numerous postponements mostly granted upon motions practically alleging the same grounds, albeit in slightly varied forms.

As aptly stated by the Supreme Court:

“The monotonous reiteration of the plea of illness (e.g., diarrhea, gastroenteritis for no less than six times, tumor, appendicitis, influenza, dyspepsia, bronchitis, cold and fever, infected tooth, etc.) should have been sufficient to alert the respondent to the patent probability that the plea was untrue and that the defendant was taking advantage of the leniency of the court, to the extent of making a mockery of justice. And on each of the two occasions when the accused was actually placed under arrest after failing to appear for the reading of the

sentence, there was no justifiable reason why the respondent should allow him to post an 'appeal bond' and then order his release instead of proceeding with the execution of the judgment. As the record shows, the respondent issued the last order for the arrest of the accused on January 4, 1971 and rendered judgment against the bond on March 13, 1971, and it does not appear that the accused has been apprehended since then."

However, I agree with the findings of the Supreme Court that there is no evidence that respondent acted in bad faith or out of some unworthy motive. Other than his misplaced feeling of compassion there appears no reason for his undue leniency and failure to take into consideration Section 18, Rule 114 of the New Rules of Court, which provides that no bail shall be allowed after the judgment has become final. No question has been raised as to his honesty and integrity nor is there anything in the record which would reflect upon his character.

Wherefore, Judge Jesus de Veyra is hereby reprimanded and admonished to be more careful in the future.

Done in the City of Manila, this 10th day of May, in the year of Our Lord, nineteen hundred and seventy-two.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ROBERTO V. REYES
Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1972). *[Administrative Order Nos.: 317 - 348]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 328

CONSIDERING MR. BERNARDINO M. GUBATAN RESIGNED FROM OFFICE AS MUNICIPAL JUDGE OF MANGALDAN, PANGASINAN, AND IMPOSING A FINE ON MR. FELIPE M. VILLANUEVA, FORMER CITY JUDGE OF DAGUPAN CITY.

This is an administrative case filed against Municipal Judge Bernardino M. Gubatan of Mangaldan, Pangasinan, and City Judge Felipe N. Villanueva of Dagupan City, since retired, by Romeo Pa. Cabugao for allegedly conspiring in the illegal issuance of a warrant for his arrest in Criminal Case No. 855 (for robbery), which led to his apprehension and detention in the Dagupan City jail, after he and two (2) others implemented a writ of execution issued by the City Court of Manila, in Civil Case No. 129825, entitled “Shriro (Phil.) Inc. vs. Joseph Patalinghug et al.” The case was formally investigated by District Judge Sixto A. Domondon of the Court of First Instance of Pangasinan.

The evidence adduced at the investigation conducted by the District Judge-Investigator shows that in the late afternoon of December 29, 1969, which was a holiday, Angelita Patalinghug and her witness Roberto Patalinghug went to the police department of Dagupan City to file a criminal complaint for robbery against herein complainant and his companions for having allegedly taken from her residence find during her absence some articles consisting of jewelry and watches amounting to ₱13,500 in the course of their carrying out the writ of execution.

Upon overhearing the complaint of the offended party and finding that City Judge Villanueva was not in his office, respondent Gubatan administered the oaths in the complaint and its supporting affidavits executed by the offended party and her witness and conducted the preliminary investigation by taking their statements which were also subscribed and sworn to before him. He then prepared an order and signed the same as “Judge” of the City Court which reads:

“Acting on the complaint filed by the complainant; It appearing that upon verification the City Mayor is out of town and the incumbent City Judge is residing in a far away place; It appearing further that the offense charged is so serious as it does the violation of the civil liberties of the citizens and, therefore, requires prompt action, and

“Believing that inaction will be prejudicial to public interest while action will cause no injury to any third person much less the accused herein; neither will it cause harm in the administration of justice;

“The undersigned deems it appropriate to accept the complaint and the issuance of the warrant of arrest for the apprehension of the accused subject to the Hon. Judge Felipe Villanueva’s further action including the trial of the case on the merits.”

Respondent Gubatan also filled out a mimeograph form of a warrant of arrest for the signature of respondent Villanueva. The warrant and the pertinent papers of the case were brought by respondent

Gubatan accompanied by the city clerk of court and Angelita and Roberto Patalinghug to the house of respondent Villanueva in San Carlos City, arriving there around seven o'clock in the evening. After being briefed on the case by Gubatan who assured him that everything was regular, Villanueva verified the existence or probable cause for the criminal complaint by asking under oath Angelita and Roberto Patalinghug the same questions contained in their statements taken by the former. He thereupon signed the warrant of arrest and handed the same to his clerk.

After everybody had left, Villanueva began to doubt Gubatan's authority to act on the case and despite the late hour he went to the San Carlos City Hall and tried to contact by telephone the chief of police of Dagupan City to advise him not to serve the warrant of arrest. Failing in his attempt, Villanueva returned to his house and prepared the following draft of recall order:

“After going all over again the records of this case, this Court entertains doubts as to the propriety of the warrant of arrest previously issued by this Court.

“WHEREFORE, the warrant of arrest previously issued by this Court is hereby re-called, subject to further investigation by this Court.”

Early the following morning (Dec. 30, 1969), Villanueva arrived at Dagupan City and told Gubatan about his misgivings on the regularity of the latter's action in the robbery case. He then proceeded to the city jail and upon being informed that complainant was arrested at 10:45 p.m. of the previous night and thereafter brought by the chief of police to his house, he went to see the latter and asked him to release complainant on the strength of his draft of order recalling the warrant of arrest he had signed, but the police chief refused and told him that the damage had already been done. Villanueva then returned to the city hall and finalized his order recalling the warrant of arrest and served it on the city jailer at 7:10 of that morning. Complainant was then released around 9 A.M.

On January 2, 1970, Villanueva issued another order setting aside the proceedings and designating the city fiscal to conduct the preliminary investigation. On May 11, 1970, the city fiscal filed a motion to dismiss the case for insufficiency of evidence, which was granted by the respondent in an order of the same date.

The District Judge-Investigator found that respondent Gubatan acted without authority as judge of the Dagupan City Court in accepting the complaint after conducting the preliminary examination of the offended party and her witness in Criminal Case No. 855; and that respondent Villanueva acted with prudence and in utter good faith and with dispatch in issuing and signing the warrant of arrest and without any bad faith or malice whatsoever in the issuance thereof.

The Secretary of Justice, while concurring in the findings against Gubatan, observes that Villanueva issued the warrant in question outside the territorial jurisdiction of his court and at night during a holiday and that there was no urgent need for the immediate service thereof as brought out in the preliminary examination of the offended party and her witness. The difficulty encountered by Villanueva in effecting the release of the herein complainant was thus a direct result of the unusual place and time for the issuance of the warrant of arrest.

However, the Secretary points out that the irregularity in the issuance of the warrant was mitigated by the frantic efforts of Villanueva to recall it after its issuance and by his cancellation thereof on the following day. The Secretary likewise states that respondent is no longer in the service on account of his having reached the age of compulsory retirement on April 24, 1971. He recommends that both be considered resigned, with prejudice to retirement benefits in the case of Gubatan. Later, the recommendation for Villanueva was modified by adding “without prejudice to retirement benefits.”

After a careful review of the case, I agree with the Secretary of Justice that respondent Gubatan is guilty as charged. I am therefore constrained to take drastic action against him. As regards respondent Villanueva, I believe that he may be accorded some measure of leniency, in view of the above attendant circumstances in his favor, coupled with the absence of any proof that he was actuated by malice or bad faith in the issuance of the warrant in question, apart from his having been already compulsorily retired from the service.

In view of the foregoing, Mr. Bernardino M. Gubatan is hereby considered resigned from office as Municipal Judge of Mangaldan, Pangasinan, effective upon receipt of a copy of this decision, while Mr. Felipe M. Villanueva, former City Judge of Dagupan City, is fined in an amount equivalent to two (2) months' pay.

Done in the City of Manila, this 22nd day of May, in the year of Our Lord, nineteen hundred and seventy-two.

(Sgd.) **FERDINAND E. MARCOS**

By the President:
(Sgd.) **ALEJANDRO MELCHOR**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1972). [*Administrative Order Nos.: 317 - 348*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 329
IN RE ADMINISTRATIVE CASE AGAINST FORMER MUNICIPAL JUDGE
ROMAN A. LORENTE OF TAGUM, DAVAO DEL NORTE.

This is an administrative case against Municipal Judge Roman A. Lorente of Tagum, Davao del Norte, since retired, filed by Teodulo T. Lador for gross ignorance of the law, which was formally investigated by District Judge Alejandro E. Sebastian of the Court of First Instance of Davao del Norte.

The case arose from the filing in respondent's court of Criminal Case No. 4014 (for falsification of public document) on May 10, 1968, against herein complainant Teodulo T. Lador by a special counsel in the office of the Provincial Fiscal of Davao del Norte. After conducting a preliminary inquiry of the case, respondent issued a warrant for the arrest of Lador, which was, however, returned to his court on June 1, 1968, as the latter had purportedly left for either Balanban, Cebu, or Bato, Leyte. In view thereof, the case was ordered sent to the files on May 31, 1968, without prejudice to its subsequent prosecution upon apprehension of the complainant. Thereupon, respondent issued an alias warrant for his arrest and sent the same for certification to the Executive Judge of the Court of First Instance of Davao del Norte for service and execution outside respondent's jurisdiction.

Sometime in December 1968 the complainant voluntarily surrendered to a peace officer in Cebu City and filed a personal bail bond of ₱6,000 with the City Court of Cebu which issued the corresponding release order. On December 13, 1968, the personal bail bond, the order of release and the pertinent papers of the case were sent to respondent who subsequently set the case for arraignment on January 24, 1969. However, neither the complainant nor his counsel appeared on said date and it was only on July 31, 1969, or after repeated postponements of the case granted at the instance of the complainant, that he finally presented himself before respondent's court. Upon arraignment the complainant, assisted by counsel, entered a plea of guilty to the offense. Thereafter, respondent called a recess and, after conferring with the defense counsel and the special counsel who manifested that the complaining witness, Mrs. Cecilia Vda. de Navales, and the Social Security System where the falsified document was filed did not suffer any financial damage from the criminal acts of the accused, resumed the court session and dictated his decision imposing upon complainant the indeterminate penalty of from 1 month and 1 day to 4 months of arresto mayor, with accessory penalties, and to pay a fine of ₱300, with subsidiary imprisonment not to exceed 1/3 of the principal penalty plus costs.

In the afternoon of the same day (July 31, 1969), after the complainant had been committed to the municipal jail, respondent summoned him to his court and modified the original sentence to 2 months and 1 day of arresto mayor as minimum to 1 year of prision correccional as maximum, with the accessory penalties, and to pay a fine of ₱100, with subsidiary imprisonment in case of insolvency which shall not exceed 1/3 of the principal penalty plus costs. After serving several days in the municipal jail the complainant was transferred to the provincial jail, but the warden refused to admit him on the ground that the sentence imposed was unlawful. Hence, he was recommitted to the municipal jail of Tagum, where respondent, after rehearing the case on August 12, 1969, again reduced the penalty to "5 months of arresto mayor . . ." and to pay a fine of ₱100 . . ."

On November 3, 1969, the Department of Justice required respondent to submit his commend on the complaint. In his answer dated December 10, 1969, respondent admitted his mistake in imposing the first penalty and his oversight of the provisions of the Indeterminate Sentence Law as regards the second, but claimed that the imposition of the penalty of 5 months was beneficial and favorable to the accused. He also apologized and pleaded for pardon for his “mistakes, oversights and/or indiscretions” and implored for Christian charity and understanding, in view of his impending “retirement at his 70th birthday on February 22, 1971.” Moreover, in his explanation to the investigating Judge dated April 18, 1970, respondent reiterated his admission of guilt of December 10, 1969, and pointed to complainant’s letter of desistance addressed to the Secretary of Justice dated December 18, 1969, alleging that he was no longer interested in prosecuting his complaint, considering that respondent acted in “entire good faith” in imposing the penalty of 5 months of arresto mayor plus a fine of ₱100 which was not prejudicial to him.

Respondent’s explanation obviously does not exculpate him, from his erroneous actuations. However, considering his admission of guilt and supplications for mercy and his having been already compulsorily retired, it is believed that he deserves some leniency.

Wherefore, Mr. Roman A. Leorente, former Municipal Judge of Tagum, Davao del Norte, is hereby fined in an amount equivalent to two (2) months’ pay.

Done in the City of Manila, this 24th day of May, in the year of Our Lord, Nineteen hundred and seventy-two.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) ALEJANDRO MELCHOR

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1972). [*Administrative Order Nos.: 317 - 348*]. Manila: Malacañang Records Office.

MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 330
IN RE ADMINISTRATIVE CASE AGAINST FORMER MUNICIPAL JUDGE MANUEL E. PABLO
OF MIDSAYAP, COTABATO.

This refers to the administrative case against Municipal Judge Manuel E. Pablo of Midsayap, Cotabato, since retired, filed by Francisco U. Darantinao Jr. for irregularities in certain criminal cases of his court.

The formal investigation of the case by District Judge Jesus V. Occeña of the Court of First Instance of Cotabato was discontinued, as respondent was then about to reach the compulsory retirement age of 70 on August 12, 1971. The Judge recommended that the respondent be allowed to retire, if retirable, and with honor, as it would be unfair to forfeit his retirement benefits for his long years of service and by his retirement he could no longer cause prejudice. However, the Secretary of Justice disagreed with the Investigating Judge and submitted his findings and recommendation on September 14, 1971. Upon respondent's request, the case was returned to the Department of Justice which, in turn, directed the Investigating Judge to proceed with the formal investigation of the case until its completion so as to give respondent the opportunity to cross-examine the witnesses against him and to present his side of the case.

Respondent is specifically charged with (1) docketing the complaint in Criminal Case No. 2779 (for false testimony) without any supporting affidavit; (2) sentencing the accused in Criminal Case No. 2317 (for homicide over which he had no jurisdiction; (3) ordering the imprisonment of the accused in a case for civil liability for damages; (4) issuing a warrant of arrest in a certain civil case; and (5) docketing Criminal Case No. 2721 (for perjury) committed outside the territorial jurisdiction of his court.

In his memorandum to Judge Occeña dated January 13, 1972, respondent explains that (1) the acceptance and docketing of Criminal Case No. 2779 was merely an exercise of judicial discretion and was properly supported by affidavits prepared by the complainant, which became the basis thereof; (2) he erred in sentencing the accused in Criminal Case No. 2317 (for homicide), but in utmost good faith believing that he had the authority to act as he did and without the slightest intent to cause harm or injury to anyone or to defeat the ends of justice; (3) the imprisonment of the accused was for contempt of court due to his disrespectful and contemptuous remarks; (4) the warrant of arrest against the accused in Civil Case No. 148 (for forcible entry and damages with preliminary injunction) was issued for contempt of court, in view of their defiance of his summons to perfect their appeal by posting the required bail bond; and (5) the filing of Criminal Case No. 2721 was the responsibility of the chief of police who testified that he overlooked the fact that the offense was committed in Pagalungan, Cotabato, after the case was investigated by police investigators.

Respondent likewise maintains that the charges against him were filed to persecute and to harass him, which is best illustrated by the affidavit of desistance executed by complainant on November 19, 1971, stating that "in view of the fact that the only case that involves and affects me, and which forms the basis of my number 1 charge in my administrative complaint, has been finally resolved

to my entire satisfaction and that I am entirely satisfied that respondent Judge Pablo acted in good faith and without malice in connection with the docketing thereof; and in view of the further fact that, not only am I not personally involved in the other charges, but also that the persons directly affected are not interested therein; I have executed this affidavit to manifest my desistance in further prosecuting my administrative complaint and that I hereby withdraw all the charges contained therein against respondent Judge Manuel E. Pablo,” and complainant’s “MANIFESTATION” dated November 28, 1971, affirming in toto his aforesaid affidavit and declaring that he is no longer appearing in any further proceedings to be had in the case. Finally, for having erred in charge 2 respondent appeals for justice, human compassion and understanding, having served the Government faithfully and with honesty, loyalty and devotion for 33 years, 25 of which in the judiciary. To deprive him of leave and retirement benefits on the basis of his admission or finding of guilt thereon would be cruel and inhuman, which is like imposing on him the death sentence.

After the reinvestigation of the case, the Investigating Judge on January 26, 1972, submitted to the Secretary of Justice the pertinent papers of the proceedings and reiterated his previous recommendation that respondent be allowed to retire with honor, the errors committed by him in good faith having been redeemed by his long years of service in the Government.

On April 4, 1972, the Secretary of Justice forwarded to this Office the complete records of the case and reiterated his original findings and recommendation that respondent is guilty of charges 2, 3 and 5, and that he should be dismissed from the service.

After a careful review of the case, I agree with the Secretary of Justice that respondent is guilty as charged. However, considering that the offenses committed by him do not involve dishonesty and in view of his appeal for human compassion and understanding, coupled with the fact that he has already been compulsorily retired after having served the Government for 33 years, 23 of which were in the judiciary, I believe that he deserves leniency.

Wherefore, Mr. Manuel E. Pablo, former Municipal Judge of Midsayap, Cotabato, is hereby fined in an amount equivalent to two (2) months’ pay.

Done in the City of Manila, this 24th day of May, in the year of Our Lord, nineteen hundred and seventy-two.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) ALEJANDRO MELCHOR

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1972). *[Administrative Order Nos.: 317 - 348]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 331

MODIFYING ADMINISTRATIVE ORDER NO. 248 DATED NOVEMBER 17, 1970, BY
CONSIDERING MR. PEDRO R. RABAGO, FORMER MUNICIPAL JUDGE OF CAGWAIT,
SURIGAO DEL SUR, AS RETIRED FROM THE SERVICE.

Upon petition for reconsideration filed by former Municipal Judge Pedro R. Rabago of Cagwait, Surigao del Sur, who was removed from office under Administrative Order No. 248 dated November 17, 1970, and after a restudy of the facts and the circumstances of the case, coupled with his length of service (more than 24 years) in the Government, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby modify Administrative Order No. 248 dated November 17, 1970, by considering him as retired from the service, effective on his last day of service with pay.

Done in the City of Manila, this 31st day of May, in the year of Our Lord, nineteen hundred and seventy-two.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1972). *[Administrative Order Nos.: 317 - 348]*. Manila: Malacañang Records Office.

MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 332

EXTENDING UP TO DECEMBER 31, 1972, THE PERIOD WITHIN WHICH INSURANCE
AND SURETY COMPANIES SHOULD RAISE THEIR PAID-UP CAPITAL AS PROVIDED IN
ADMINISTRATIVE ORDER NO. 290 DATED JUNE 14, 1971.

By virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby extend up to December 31, 1972, the period within which insurance and surety companies should raise their paid-up capital to One Million Pesos in order to be authorized to become sureties upon official recognizances, stipulations, bonds, and undertakings, as required under Administrative Order No. 290 dated June 14, 1971.

Done in the City of Manila, this 26th day of June, in the year of Our Lord, nineteen hundred and seventy-two.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1972). *[Administrative Order Nos.: 317 - 348]*. Manila: Malacañang Records Office.

MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 333
AUTHORITY TO INCUR OBLIGATIONS UNDER THE GENERAL APPROPRIATION ACT FOR
FISCAL YEAR 1973

Pending approval of the General Appropriation Act for fiscal year 1973 and in order not to disrupt essential public services and governmental operations, beginning July 1, 1972, authority is hereby granted to all heads of departments, and chiefs of bureaus and offices of the National Government to incur obligations for the months of July and August, 1972 against appropriations authorized in Republic Act No. 6400 in an amount not to exceed two thirds (2/3) of the total expenditures under Republic Act No. 6400 authorized for each such agencies during the first quarter of fiscal year 1972, chargeable against the General Appropriation Act for fiscal year 1973. Likewise, pending approval of the cash budget for the months of July and August, 1972, heads of departments and chiefs of bureaus and offices are authorized to withdraw cash from the National Treasury but in no case shall the total cash withdrawn during the months of July and August, 1972, exceed the level of cash withdrawals authorized respectively for the months of July and August, 1971.

Obligations chargeable against lump-sum appropriations authorized under the General Appropriation Act for fiscal year 1973 which require the approval of special budgets in accordance with Section 7-I(4), Commonwealth Act No. 246, as amended, are hereby authorized to be incurred effective July 1, 1972, even prior to the approval of the corresponding special budgets and cash budgets, pursuant to Section (3) Executive Order No. 285, series of 1940, and Budget Circular No. 210, dated June 18, 1970, as amended by Budget Circular No. 219, dated July 1, 1971, respectively.

Obligations for activities funded partially during the current fiscal year which shall continue in fiscal year 1973 are also authorized to be incurred during the months of July and August, 1972, in an amount not to exceed the proportional expenditures for two months incurred during the current fiscal year.

No obligation for new positions and salary increases, new activities, expansion of existing activities, purchase of school supplies, and equipment and obligations chargeable against capital outlays authorized under the General Appropriation Act for fiscal year 1973, shall be allowed in all of the above mentioned cases until after the initial Financial and Work Plan and Request for Allotment shall have been submitted by the head of the agency to the Commissioner of the Budget and the corresponding Advice of Allotment and the Cash Budget shall have been issued.

As soon as copies of the General Appropriation Act for fiscal year 1973 are available, each agency should submit immediately to the Budget Commission its initial Financial and Work Plan and Request for Allotment covering said fiscal year in accordance with the provisions of Budget Circular No. 38, dated June 7, 1956, as amended, and cash Budget in accordance with Budget Circular No. 210, dated June 18, 1970, as amended by Budget Circular No. 219, dated July 1, 1971.

Done in the City of Manila, this 30th day of June, in the year of Our Lord, nineteen hundred and seventy-two.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **ALEJANDRO MELCHOR**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1972). *[Administrative Order Nos.: 317 - 348]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 334
EXONERATING MUNICIPAL JUDGE BENEDICTO LOGRONIO OF KAROMATAN,
LANAO DEL NORTE.

This is an administrative case against Municipal Judge Benedicto Logronio of Karomatan, Lanao del Norte, for incompetence and ignorance of the law. The charges were formally investigated by District Judge Eduardo C. Tutaan of the Court of First Instance of Lanao del Norte.

The case stemmed from respondent's issuance of warrants of arrest in a criminal case for kidnapping and serious illegal detention against the complainant, Governor Arsenio A. Quibranza of Lanao del Norte, his brother Luis Quibranza and Francisco Abalos, and in the three (3) criminal cases for corruption of public officials against Francisco Abalos. Complainant claims that respondent did not conduct any preliminary investigation in said cases prior to the issuance of the corresponding warrants of arrest therein; and that respondent should not have given due course to the three (3) criminal cases against Francisco Abalos on the ground that the elements constitutive of the offense were not all present.

During the hearing it was established that in all the aforesaid criminal cases respondent conducted the requisite preliminary examinations in the form of searching questions and answers before issuing the warrants of arrest against the accused, thereby belying the charge that respondent committed irregularity in connection therewith. The observation of the Investigating Judge that respondent acted with undue haste in conducting the aforesaid preliminary examinations and issuing the warrants of arrest against the accused is not well taken. While it is true that these happened on the same date, December 29, 1970, there is nothing in the record that some irregularity attended the same; hence the presumption of regularity in the performance of official duties stands in respondent's favor.

Finally, the charge that the complaints (Crim. Cases Nos. 446, 449 and 450) for corruption of public officials should not have been given due course because not all the elements thereof were present is also devoid of merit. The allegations in the criminal complaints that the accused purportedly offered sums of money to the municipal officials "in his capacity as municipal mayor" ("vice-mayor" and "councilor," as the case may be) substantially complete the elements of the offense charged which is punishable not necessarily by the Revised Penal Code but under the Anti-Graft Law.

Wherefore, and as recommended by the Secretary of Justice, Municipal Judge Benedicto Logronio of Karomatan, Lanao del Norte, is hereby exonerated from the charges.

Done in the City of Manila, this 28th day of July, in the year of Our Lord, nineteen hundred and seventy-two.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RONALDO B. ZAMORA
Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1972). *[Administrative Order Nos.: 317 - 348]*. Manila: Malacañang Records Office.

OFFICE OF THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 335

During periods of calamities like floods and the like, causing destructions to highways and bridge facilities, the Commissioner of Public Highways, is hereby authorized to incur expenditures for the purchase of materials, necessary spare parts and hand tools without the authorization from higher authorities, in order to expedite the reconstruction of destroyed highways and bridge facilities. The Auditors and Accountants of the District and City Engineering Offices where such calamity occurred, are placed under the staff of the Office of the Commissioner of Public Highways for expediency.

Done in the City of Manila, this 1st day of August, 1972.

(SGD.) **FERDINAND E. MARCOS**
President of the Philippines

All procurements listing shall be signed by the Commissioner of Public Highways and copy furnished the President's office.

By the President:
ALEJANDRO MELCHOR
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1972). [*Administrative Order Nos.: 317 - 348*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

ADMINISTRATIVE ORDER NO. 336
FURTHER AMENDING ADMINISTRATIVE ORDER NO. 228 DATED JULY 27, 1970.

Administrative Order No. 228 dated July 27, 1970, reconstituting the Executive Committee of the Central Luzon Development Program, is hereby further amended so as to designate Secretary ARTURO R. TANCO, JR. as Chairman of the Committee vice Undersecretary Jose M. Crisol.

Done in the City of Manila, this 5th day of Sept., in the year of Our Lord, nineteen hundred and seventy-two.

(Sgd.) **FERDINAND E. MARCOS**

By the President:
(Sgd.) **ALEJANDRO MELCHOR**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1972). [*Administrative Order Nos.: 317 - 348*]. Manila: Malacañang Records Office.

TANGGAPAN NG PANGULO NG PILIPINAS
(OFFICE OF THE PRESIDENT OF THE PHILIPPINES)

ADMINISTRATIVE ORDER NO. 337
CONSTITUTING A COORDINATING PANEL WITH AUTHORITY TO NEGOTIATE,
FORMULATE AND COORDINATE A JOINT PHILIPPINES-USAID ASSISTANCE PROGRAM
FOR DISASTER REHABILITATION AND RECONSTRUCTION

A Philippine Coordinating Panel is hereby constituted, with authority to formulate and coordinate a Joint Philippines-US-AID Assistance Program for disaster rehabilitation and reconstruction and likewise with authority, as regards this assistance program, to negotiate with its United States counterpart on the project areas; resource mobilization and utilization; project engineering standards, unit costs and implementation schedules; fund disbursement and reimbursement procedures; and project execution performance evaluation and reporting. The Panel will be composed of the following:

Mr. Antonio Locsin,
Chairman Presidential Economic Staff
Dr. Joselito Gallardo
Presidential Task Force on Rehabilitation
Mr. Bienvenido Villavicencio
National Economic Council
Mr. Jesus Sunga
Presidential Economic Staff

Done in the City of Manila, this 12th day of September, in the year of Our Lord, nineteen hundred and seventy-two.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1972). *[Administrative Order Nos.: 317 - 348]*. Manila: Malacañang Records Office.

TANGGAPAN NG PANGULO NG PILIPINAS
(OFFICE OF THE PRESIDENT OF THE PHILIPPINES)

ADMINISTRATIVE ORDER NO. 338
CREATING A COORDINATING COMMITTEE ON FORMULATION, COORDINATION AND
SUPERVISION OF PROJECTS UNDER THE JAPANESE OFFICIAL FINANCIAL ASSISTANCE
PROGRAM

A Philippine Coordinating Committee is hereby created with authority to develop projects and coordinate project proposals for Japanese Official Financial Assistance under both current and future Commodity and Projects Loans, as well as to monitor the execution by the agencies of these projects and where necessary to supervise their execution, completion or operation in conformity with sound engineering and financial management practices. The Coordinating Committee shall be composed of the following:

Mr. Antonio M. Locsin
Presidential Economic Staff
Representative of the Executive Secretary, Chairman
Mr. Victor Macalincag
Representative of the Secretary of Finance, Member
Mr. Gabriel Itchon
Representative of the Governor of the Central Bank, Member
Mr. Jesus Sunga
Representative of the Presidential Economic Staff, Member

The head official of the executing agencies shall be a temporary member of the Coordinating Committee whenever his project is under deliberation.

The Committee is hereby authorized to organize an adequate administrative, technical and financial planning and supervisory staff, and to employ consultants as may be necessary from time to time to assist with its work. All participating departments, bureaus, offices and agencies, and the Central Bank, are enjoined to lend technical and financial assistance to the Committee to the extent required in the performance of its functions to ensure smooth implementation of the projects.

Done in the City of Manila, this 22nd day of September, in the year of Our Lord, nineteen hundred and seventy-two.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1972). [*Administrative Order Nos.: 317 - 348*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 339
REMOVING MR. JUSTINIANO N. MONTANO JR. FROM OFFICE AS CHAIRMAN OF THE
GAMES AND AMUSEMENTS BOARD.

Mr. Justiniano N. Montano Jr., Chairman, Games and Amusements Board, is charged with various irregularities in three (3) complaining along with other officials of the Board. The first case, filed by the Philippine Racing Club, Inc. (PRCI), on March 7, 1967, is for (a) fixing of races, (b) falsification, (c) usurpation of functions and (d) oppressive exercise of authority. The second case, filed by Carlos H. Reyes on April 23, 1969, is for (a) gross insubordination, (b) dereliction of official duty, and (c) willful violation of a lawful order. The third case, filed by the Philippine Charity Sweepstakes Official (PCSO), on June 23, 1969, is for (1) usurpation of official function and gross disobedience, (2) willful violation of law, (3) oppressive exercise of authority, (4) grave abuse of authority and (5) dereliction of duty.

The charges were formally investigated by the Presidential Investigating Committee created under Administrative Order No. 50, s. 1967, which found respondent Chairman Montano, among others guilty under certain charges to be treated hereunder. The case of the other respondents will be disposed of separately.

1. PRCI complaint. On the charge of fixing of races, whereby respondent GAB officials allegedly altered racing programs prepared and approved by the committee on handicapping for the December 11 and 12, 1965, and June 18 and 19, 1966, horse races to favor horses owned by persons identified with Chairman Montano, the evidence shows that there instances of movement of horses from one group to the next higher or lower group in the aforesaid weekend races. However, said movements are permissible under the rules on handicapping. There is no evidence that the horses who won were owned by people identified with or close to respondent Montano.

However, there is evidence showing that respondents, especially Chairman Montano, unduly intervened in the preparation of the programs of races for said weekend races. The very testimony of Secretary Salud at the rehearing of the case shows that such programs were greatly the work of the respondents and not of the Committee on Handicapping or of the handicapper who under the law should prepare the program initially. According to Secretary Salud, the program of races for the December 11 and 12, 1965, races was handed to him by the Committee on Handicapping after its meeting, the members of which then present being Chairman Marquez and Member Olmedo; that the members gave him “tips” that certain horses were misgrouped; that he communicated those “tips” to the members of the Board; that when the Chairman of the Board opened the meeting of the Board and the members of the Committee on Handicapping were called he, the Chairman, acting mainly on the tips but informing that in his long experience certain horses were misgrouped, and passing from group to group in the program he indicated the misgrouped horses and asked what they thought about them, and when they said “OK,” then he, respondent Salud, wrote the names of such horses under the proper group. The same is true with respect to the program for the June 18 and 19, 1966, races. Such program prepared and submitted by the Handicapper to the Committee on Handicapping was deliberated on by the latter and then submitted to the GAB for approval. When the same was returned for the

preparation of the final program for release, it showed on its face the many names of horses written by the respondents, Chairman Montano and Secretary Salud, under each race member – sometimes the name of a horse appearing under different race numbers.

On the charge of oppressive exercise of authority, in that respondent Chairman, in conspiracy with leaders of associations of jockeys, hatched a plan to boycott the January 28 and 29, 1967, races, in complainant's race trade by imposing the condition that jockeys should secure clearances from their association before their licenses could be renewed, although there was no regulation to that effect and in the same race days out of 60 jockeys who appeared and signed declarations to participate therein only about 16 who, after the races, were charged by the respondent with wearing the wrong racing colors, which was not true, while those who failed to appear were not charged despite the fact that they were liable under the GAB regulations, it appears from the pleadings and documentary evidence, in the absence of witnesses to testify thereon, that jockeys supposed to ride during those two racing days were intimidated, some were taken from their house by force or by stealth, some paid not to ride, some prevented from entering the hippodrome by picketeers, so that out of some 60 jockeys who signed the declarations to ride and participate in said races only about 16 were able to report to the hippodrome. Those few jockeys who were able to report when already in the jockey's enclosures before the first race were allegedly threatened in various ways including suspension and non-issuance of jockey's license in the event that they persisted in riding during those two (2) racing days. If jockeys already in the enclosures were really threatened, as the investigating committee was convinced they were, they must have been threatened by the respondents who possess not only the power to suspend and punish the jockeys but also the exclusive authority to license jockeys and renew their license.

It is evident that the respondents wanted to complete what the picketeers, as the respondents called the intimidators of jockeys, failed to do. When the respondents themselves failed because at least 12 jockeys persisted in riding, the picketeers struck again and "two (2) jockeys who were already about to ride their mounts had to scamper for safety to avoid bodily harm and were unable to ride their respective mounts" (Annex "G").

The respondents, whether acting in concert with the picketeers or independently of them, could have no other purpose or design than to frighten away the jockeys who reported to the hippodrome and frustrate the holding of the races therein scheduled.

After the races, the jockeys who participate therein were punished but those who failed to appear and participate, disregarding their commitment to ride, were not punished "because the GAB, in the exercise of its sound discretion, did not see fit to punish them for meritorious causes like being threatened or prevented from entering the race tracks by picketeers." The action of respondents in the case of these two sets of jockeys shows that they could punish those whom they wanted to punish and exempt from punishment those whom they wanted to exempt. This is clearly an oppressive exercise of punitive authority.

As jockeys were threatened and intimidated from riding during the two races held at the PRC on January 28 and 29, 1967, so were horse owners threatened or persuaded not to run their horses on said dates. On January 27, 1967, on the eve of the racing day, the GAB Veterinarian certified that fourteen (14) horses registered to participate in the races were lame or sick. Only five (5) of those certified ran in their respective races. In their answer denying the charge, respondents branded the same as "baseless, irresponsible and malicious" with the obvious intention of disassociating themselves from the action of the Veterinarian and claimed that they "could not possibly control the physical conditions of horses, the wishes of their owners nor the findings of the Veterinarian . . ."

I agree with the findings of the investigating committee that the Veterinarian could not have issued the aforesaid certification that the fourteen (14) were lame or sick without the knowledge, authorization or order of the GAB. To quote from the committee report:

“Seemingly they [respondent GAB officials] want to dissociate themselves from the action of their Veterinarian, claiming they ‘could not possibly control the physical conditions of horses, the wishes of their owners nor the findings of the Veterinarian x x x.’ This Committee, however, is persuaded that the GAB Veterinarian would not have issued the Certification that fourteen (14) horses registered to participate in the races were lame or sick without the knowledge, authorization or order of the GAB. Section 5 of the Rules and Regulations on Horse Racing provides:

“The Veterinarian shall have the following duties: (Veterinarian of the Games and Amusements Board)

“(a) To make a physical examination of the horses whenever ordered by the Board to determine whether or not they are suffering from any defect which prevent them from taking part in the races for which they are declared;

“XX XX XX XX’

When ordered by the GAB to make a physical examination of the horses, the Veterinarian must necessarily issue a certificate of his findings. In the instant case, of the fourteen (14) horses certified as lame and sick it is evident the Veterinarian had not made any real examination of said horses. And it could not be the wishes of their horses certified as lame and sick. Yet the Veterinarian certified said horses as lame and sick.

“The certification that said fourteen (14) horses were lame and sick can be read only as a method of persuading their owners not to run their horses in those races in which such horses were registered to participate. It was an arm-twisting method of persuading sought to be applied by the respondent through the GAB Veterinarian to help attain their purpose and design to frustrate the holding of those races of January 28 and 29, 1967. The action of the respondents in this case is an oppressive exertion of authority.”

2. Reyes complaint. On the charges of gross insubordination, dereliction of official duty and willful violation of order for refusal to implement the directive of the Office of the President to disqualify race horse “Independence” for being underage from participating in the Special Grand Derby Race held on March 23, 1969, at the Manila Jockey Club race track, the evidence discloses that respondent Chairman Montano became aware of said directive hours before the actual start of the race and that instead of disqualifying said race horse he returned the directive with a statement that he could not possibly implement the same principally for certain technical reasons stated therein. Considering that the GAB is under the control and supervision of the Office of the President, respondent’s failure and/or willful refusal to implement the order of said office constituted palpable insubordination on his part. Moreover, by such refusal, he in effect simultaneously countenanced a violation of applicable rules and regulations designed to promote horse racing for the benefit of the betting public.

In the light of the above findings and conclusions establishing or pointing to irregularities committed by Chairman Montano which are sufficiently serious to call for drastic action, indicating as they do his unfitness for the high and sensitive position he holds, I find no more need to dwell any further on the other charges.

Wherefore, Mr. Justiniano N. Montano Jr. is hereby removed from office as Chairman of the Games and Amusements Board, effective upon receipt of a copy of this Order.

Done in the City of Manila, this 26th day of September, in the year of Our Lord, nineteen hundred and seventy-two.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) ROBERTO V. REYES

Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1972). *[Administrative Order Nos.: 317 - 348]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 340
REMOVING MR. WENCESLAO L. CORNEJO FROM OFFICE AS CITY JUDGE OF MANILA.

Mr. Wenceslao L. Cornejo, presiding Judge of Branch V of the City Court of Manila, is charged by Pedro B. Arao, a judicial supervisor of the Department of Justice, with (1) willful violation of the Constitution and the Rules of Court and (2) intervention in the disposition of a case in another branch of the City Court of Manila.

Alleged to have been infringed are Section 3(3), Article IV of the Constitution, which provides that “no warrants shall issue but upon probable cause, to be determined by the judge after an examination under oath or affirmation of the complainant and the witnesses he may produce, and particularly describing the place to be searched, and the persons or things to be seized,” and Section 3 and 4 of Rule 126 which recite that “a search warrant shall not issue but upon probable cause in connection with one specific offense to be determined by the municipal or city judge after examination under oath or affirmation of the complainant and the witnesses he may produce and particularly describing the place to be searched and the persons or things to be seized,” and that “the municipal or city judge must, before issuing the warrant, personally examine on oath or affirmation the complainant and any witnesses he may produce and take their depositions in writing, and attach them to the record in addition to any affidavits presented to him.”

The first charge stems from the issuance by the respondent in 1966 of a large number of search warrants which he recorded in a register marked Exhibit “A”.

Presented to prove the charge, aside from Exhibit “A,” are the testimony of Atty. Juanito B. Marzan, another judicial supervisor, that he found Exhibit “A” in the course of his inspection in 1966 of the records of the respondent’s court and the complainant’s testimony that he saw Exhibit “A,” from which it appears that the respondent issued many search warrants against “John Does,” “Mary Does” and “Elena Does” for prostitution, gambling and illegal massage clinics.

Testifying for himself, the respondent said that he issued the questioned search warrants because he was requested by the Mayor of Manila to help the police in the campaign against gambling prostitution, illegal massage clinics used as fronts for prostitution, and other vices in Manila but before issuing them, he personally questioned the applicant and his witnesses. In addition, he took into account the application for search warrant as well as the deposition of the witnesses, and made sure that probable cause existed. Aliases, however, had to be used in the applications as well as in the warrants themselves because the true names of the owners or maintainers of the vice dens were unknown to the police.

The respondent is corroborated by Col. Enrique Morales, chief of the Detective Bureau, Manila Police Department, Major Eduardo Giron, Dets. Rafael Lomboy, Galileo Campillanes, Julian Warriner, all of the Manila Police Department, and Jose Latayan, the respondents deputy clerk. Their testimony is that in 1966, the Mayor ordered the Manila Police Department to wage a campaign against gambling, prostitution, massage clinics used as fronts for prostitution, and other vices in the City, and that to carry out the campaign, anti-vice squads were organized, who secured search warrants from the City Court of Manila, after verification that vice existed in the establishments to be searched.

The procedure prescribed by law was followed strictly in securing the search warrants. The applicant went to the respondent with the witnesses, their affidavits and depositions. The names of the persons to be searched were specified in the application if known; otherwise, aliases were used. The description of the place to be searched was also indicated. On receiving the application, the respondent personally examined the applicant and his witnesses to verify the facts relative to the premises to be searched, the materials to be seized, the crime committed and the existence of probable cause. It was only after the respondent had satisfied himself about these matters that he issued the search warrant.

All the search warrants, according to the same witnesses, were successfully executed. Arrests were made, convictions secured, and vice was minimized, almost eradicated.

Notwithstanding this testimony of the respondent and his witnesses, enough can be seen in the record to support the conclusion that violations of the law were committed in the issuance of the search warrants. So numerous are they, so many were issued in one day, and with such frequency were they issued that it cannot be believed any judge could have personally examined in each and every case the complainants and their witnesses as well as taken their depositions for the purpose of determining the existence of probable cause.

During the year 1966 the respondent issued a staggering total of 1,419 search warrants – an average of nearly 5 every working day. He signed 132 search warrants in July, 142 in December, 145 in November, 175 in August, 192 in March and 194 in September. Of the 175 warrants in the month of August, 9 were signed on the 22nd, 13 on the 24th, 4 on the 25th, 28 on the 26th, and 17 on the 29th, and of those in the month of September, 8 were issued on the 20th, 24 on the 22nd, 5 on the 23rd, 3 on the 24th, 15 on the 26th, 2 on the 28th, 8 on the 29th and 26 on the 30th while of the 192 in March, 12 were released on the 24th, 19 on the 25th, 6 on the 26th, 12 on the 28th, 7 on the 29th, 21 on the 30th, and 9 on the 31st.

The same conclusion would follow even if only the warrants listed in paragraph 3 of the complaint were considered. Those warrants total 550, released in but 67 days from February to December 1966. Of those warrants, he issued 8 each day on August 2, August 24, September 6, September 20, September 29, and October 11, 9 on November 18, December 13, December 16 and September 8; 10 on March 24, February 8, February 22, June 21, and September 7, 11 on June 27 and December 12; 12 on April 25, May 24, July 5, September 13, October 28 and December 27; 13 on May 6, June 14, and on another unspecified date; 14 on March 25 and June 2; 15 on November 15; 16 on March 16, April 13 and November 28; 21 on March 30; and 22 on November 17.

The improbability that the personal interrogation of the complainants and witnesses as well as the taking of their depositions by the judge contemplated by the Constitution and the Rules of Court could have been done in each of the hundreds of warrants the respondent issued becomes all the more evident when it is remembered that the City Court of Manila, as is well known, is an extremely busy court, serving as it does a large and thickly-populated metropolis, and its 11 judges, aside from trying, studying and deciding the numerous cases of the court, must attend to the multitude of incidents arising in connection therewith, not to mention other duties which the judicial office imposes. Under the circumstances, it is inconceivable how any of them, however diligent, could have found time and energy to examine in one day 7 to 21 complainants and their witnesses as well as take their depositions not once but time and again for months without let-up.

That the warrants were issued to aid the campaign against vices is not a defense. No end, however laudable, can justify violations of the Constitution and the law and of the rights guaranteed by them.

Neither may the fact that the former Secretaries of Justice did not see fit to take action against the respondent be invoiced to bar the present charges. Since they were not filed, he could not have been exonerated from their and absolved from liability.

The evidence on the second charge shows that while examining the records of the “sala” of Judge Jose Herrera of the City Court of Manila, Demetrio Macapagal, also a judicial supervisor of the Department of Justice came across the record of three criminal cases (Nos. F-094928, F-094029 and F-094030), all against one Sin Min. Attached to the record were the informations marked Exhibits “B”, “C” and “D”; a handwritten note of the respondent (Exhibit “E”) to Severino Weber, senior clerk of Judge Herrera’s court, which reads: “As per our understanding, I am sending [illegible] the affidavit”; an affidavit of Sin Min; a note by Weber to Judge Herrera (Exhibit “F”), reciting that “this is the request of Judge Cornejo, according to him to be dismissed”; and Judge Herrera’s order (Exhibit “G”), dismissing the three cases.

The respondent denied intervening in the disposition of the three cases. All he did, he said, was to send, upon the request of a friend, Francisco Lee, the note and affidavit to Weber, after talking to him over the telephone. He did not know the accused, the nature of the charges against him nor what Weber had in mind when he wrote Exhibit “F”.

Much is made of the fact that the respondent’s note (Exhibit “E”) does not mention any case, but since it was found in the record of the three criminal cases against Sin Min, the logical inference is that it refers to those cases. The record of a case, it need hardly be said, includes only documents material thereto. Weber confirms this. He said that he attaches all the pertinent papers to the record of a case – and that if he attached Exhibit “E” to the record of the three criminal cases, it was because it referred to those cases.

The same ought to be said of Exhibit “F,” Weber’s note. Having been filed in the record of Criminal Cases Nos. F-094028 to F-094030, it must similarly be deemed to refer to them.

Piecing the evidence together, the facts must be that the respondent called up Weber about the three informations against Sin Min, had an understanding with him to have them dismissed upon the execution of an affidavit by Sin Min that he had substantially complied with the ordinances alleged to have been violated, and, on the execution of the affidavit, sent it to Weber with the letter marked Exhibit “E.” Weber then wrote Exhibit “F” to Judge Herrera who thereafter dismissed the cases on the ground that the accused had substantially complied with the ordinances he was charged with violating.

Even if it be admitted, as the respondent claims, that he did not know Sin Min or the nature of the charges against him, the fact remains that he was aware of their pendency and that he intervened in their disposition.

Wherefore, and as recommended by the Secretary of Justice, Mr. Wenceslao L. Cornejo is hereby removed from office as City Judge of Manila effective upon receipt of a copy of this order.

Done in the City of Manila, this 27th day of September, in the year of Our Lord, nineteen hundred and seventy-two.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) ROBERTO V. REYES

Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1972). *[Administrative Order Nos.: 317 - 348]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 341
REMOVING MR. ENRIQUE A. CUBE FROM OFFICE AS ASSISTANT CITY FISCAL OF
PASAY CITY.

This is an administrative case against Assistant City Fiscal Enrique A. Cube of Pasay City for gross misconduct and dereliction of duty. The charges were formally investigated by the Department of Justice.

This case stemmed from the dismissal with prejudice on November 11, 1971, by the Judge of the Circuit Criminal Court of the Seventh Judicial District of the case of People vs. Chandru Jethanand Lalchandani (CCC-VT-903-P.C.), prosecuted by respondent Assistant City Fiscal Cube for failure of the prosecution “to present its evidence in spite of the fact that this case has already been postponed for four times, all at the request of the Prosecuting Fiscal.” The Secretary of Justice, viewing with grave concern Fiscal Cube’s failure to prosecute the case in accordance with his oath, which resulted in the dismissal thereof, charged him with gross misconduct and dereliction of duty.

At the formal investigation of the case conducted by Senior State Prosecutor Francisco L. Santos, it was established that respondent Fiscal filed an information against the aforementioned accused with the Circuit Criminal Court at Pasig, Rizal, on August 23, 1971, charging the accused, an incoming passenger of PAL Flight 307 from Hongkong, of smuggling into the Philippines 102 assorted wrist watches and 105 bracelets valued at ₱11,569 in concept of duties, other charges and taxes due the Philippine Government, by omitting to declare the aforementioned articles to the attending customs examiner.

On August 24, 1971, counsel for the accused moved for a reinvestigation of the case, alleging that the accused was not given the right to a full and formal preliminary investigation. Respondent expressed his conformity thereto on the same date, and afterwards conducted the reinvestigation prayed for. Arraignment day came on August 25, 1971, with the accused, through counsel, forthwith moving that the arraignment be deferred. However, the motion was denied by the trial court, which insisted that the accused plead. The accused then entered a plea of not guilty.

On September 11, 1971, respondent herein submitted a resolution to Pasay City Fiscal Jose B. Flaminiano setting forth his findings in the case and recommending its dismissal on the ground that the State had failed to make out a prima facie case against the accused.

Trial of the case began on September 24, 1971, on which date respondent Fiscal moved for postponement of at least ten (10) days, alleging in support thereof that his resolution of September 11, 1971, was still pending review by the City Fiscal and, moreover, that he was not ready. This motion was granted by the Court, which set the trial of the case for the next day, September 25, 1971. For reasons that do not appear on record, the next hearing was held not on September 25, 1971, as scheduled, but on October 2, 1971, at which hearing respondent Fiscal again asked for postponement for seven (7) days, stating that the City Fiscal had instructed him to ask for postponement, allegedly because the City Fiscal was still required to elevate the case for review to the Department of Justice, in accordance with a circular of the Secretary of Justice that all smuggling cases recommended for dismissal by provincial

and city Fiscals be transmitted to the Department for review. A second reason advanced by respondent fiscal for asking deferment was that he needed time for some soul-searching with himself. Though quite flabbergasted with respondent's manifestation, the presiding Judge acceded to his motion to reset the case for October 11, 1971.

In the hearing of October 11, 1971, the Government was represented by State Prosecutor Cornelio Melendres who, for the third time, presented a motion for indefinite postponement, averring that the prosecution was still waiting for action on respondent's resolution of September 11, 1971, recommending dismissal of the charges against the accused. Counsel for the accused was likewise absent from the hearing. The court granted the motion and set the case for hearing on November 11, 1971. This hearing opened with respondent Fiscal asking for a fourth postponement for the State, putting forward his old excuse that the case was still pending review by the City Fiscal who, in turn, would still forward the records of the case to the Department of Justice. The Court overruled this plea, reminding respondent Fiscal that the case had been pending before it for three months, and then commanded the latter to present his evidence. The deputy clerk of court then called some prosecution witnesses, none of whom was there. There was, however, one prosecution witness who was present but respondent did not call him. The court even asked respondent if the latter wanted "to present the (prosecution) witnesses present now," but respondent declined, saying that "the documents are not with me." At this point, counsel for the accused moved to dismiss the case; and the court, "considering that this case has been postponed for four times already by the prosecuting Fiscal," which circumstance it apparently deemed the equivalent of "failure of the State to prosecute," ordered the case "dismissed with prejudice."

Respondent argues that his requests for postponement were due to "a pending reinvestigation granted by the Office of the City Fiscal," obviously referring to the August 24, 1971, motion for reinvestigation of the accused to which he expressed his conformity; that in his said reinvestigation he was of the honest opinion that as the accused was a bona fide tourist, the latter was not required to declare whatever items he brought with him to the Philippines; and that on November 11, 1971, the date of the last hearing, he refused to present his evidence which prompted the court to dismiss the case.

This Office, like the Department of Justice, cannot accept respondent's contention that the case for sculling against the accused stood on shaky grounds supposedly upon the authority of Executive Order No. 408, series of 1960, which provides, among other things, that ". . . bona fide foreign tourist, documented as such, shall be exempt from customs examination if an oral examination proves satisfactory." By respondent Fiscal's own findings (Vide: Resolution dated September 11, 1971, recommending to City Fiscal Jose B. Flaminiano the dismissal of the charges against the accused), the accused Chandru Jethanand Lalchandani came by plane from Hongkong to the Philippines with the smuggled articles in question concealed in the coat and shoes he was wearing at the time and had already stepped outside the Exit Gate when he was called back by Corporal Ismael Hernandez of the Customs Police Force upon the latter's noticing that the coat of the accused seemed to be loaded with something heavy, and a body search of the accused by Corporal Hernandez did result in the discovery of the smuggled items aforesaid. While it is true that the accused was to all appearances a bona fide foreign tourist, for which reason he was not required to file a customs declaration form and was exempt from customs examination as well, it is no less true that he was legally bound, upon oral examination by the customs examiner, to declare or reveal the personal effects in his possession. His failure or omission to so declare or reveal the aforementioned smuggled items in his possession and their subsequent discovery on his person while he was in the act of ferreting them out from the customs area ought to have clinched the case for the Government.

Respondent Fiscal's inability to comprehend the spirit and rationale underlying the executive order adverted to was gross incompetence enough. Even so, this remissness was compounded by the fact that he did not so much as care to inform the court on the day of arraignment— which was August 25, 1971— of his resolve to reinvestigate the case, or, in the alternative, to ask for deferment of the arraignment to some other date, and thus prevent the interposition of double jeopardy. Then, as if this omission were not enough, he thrice moved for postponement each time the case was called, even fixing the date at which the next hearing was to be held only to invariably rove for postponement of such hearing upon the ground that he was not papared for trial, or that the case was being reviewed by the City Fiscal, or that it still had to be elevated to the Department of Justice. The end-result of said proceedings could have been nothing else but the irreversible dismissal of the criminal case, with the accused therein going scotfree and in all probability chuckling gleafully at the peculiar way Philippine justice was administered to him.

In the light of the foregoing, I find respondent guilty of dereliction of duty of a serious nature to warrant the taking of drastic action against him.

Wherefore, Mr. Enrique A. Cube is hereby removed from office without prejudice as Assistant City Fiscal of Pasay City, effective upon receipt of a copy of this Order.

Done in the City of Manila, this 27th day of September, in the year of Our Lord, nineteen hundred and seventy-two.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) ROBERTO V. REYES

Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1972). [*Administrative Order Nos.: 317 - 348*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 342
REMOVING MR. RODRIGO SALUD FROM OFFICE AS SECRETARY OF THE GAMES AND
AMUSEMENTS BOARD.

Mr. Rodrigo Salud, Secretary of the Games and Amusements Board (GAB), together with other GAB officials, was administratively charged with certain irregularities in a complaint filed by the Philippine Racing Club, Inc. (PRCI), dated March 7, 1967, specifically, fixing of races, falsification, usurpation of functions and oppressive exercise of authority.

The charges were formally investigated by the Presidential Investigating Committee (PIC) created under Administrative Order No. 50, s. 1967, which found respondent Salud guilty of undue intervention in the preparation of programs for horse races under the charge of fixing of races and of falsification.

On the charge of race-fixing, whereby respondent Salud and other GAB officials allegedly altered racing programs prepared and approved by the committee on handicapping for the December 11 and 12, 1965, and June 18 and 19, 1966, horse races in order to favor horses owned by persons identified with Chairman Montano, the evidence shows that there were instances of movement of horses from one group to the next higher or lower group in the aforesaid weekend races. Said movements are permissible under the rules on handicapping. There is no evidence that the horses who won were owned by people identified with or close to respondent Montano. However, there is evidence showing that respondent Salud unduly intervened in the preparation of programs of races for said weekend races as found by the investigating committee. The pertinent portion of the committee report is quoted below:

“There is evidence, however, showing that the respondents, specially Chairman Montano and Secretary Salud, had unduly intervened in the preparation of the program of the programs of races for those week-end races of December 18, and 19, 1965 and June 11 and 12, 1966. The very testimony of respondent Secretary Salud at the rehearing of the case shows that such programs were greatly the work of said respondents and not of the Committee on Handicapping or of the handicapper who under the law should prepare the program initially. According to respondent Salud the program of races for the December 11 and 12, 1965 Races was handed to him by the Committee on Handicapping after its meeting, the members of which then present being Chairman Marquez and Member Olmedo; that the members gave him ‘tips’ that certain horses were misgrouped; that he communicated those ‘tips’ to the members of the Board; that when the Chairman of the Board opened the meeting of the Board and the members of the Committee on Handicapping were called he, the Chairman, acting mainly on the tips but informing that in his long experience certain horses were misgrouped, and passing from group to group in the program

he indicated the misgrouped horses and asked what they thought about them and when they said OK then he, respondent Salud, wrote the names of such horses under the proper group. The same is true with respect to the program for the June 18 and 19, 1966 Races. Such program prepared and submitted by the Handicapper to the Committee on Handicapping was deliberated on by the latter and then submitted to the GAB for approval. When the same was returned for the preparation of the final program for release, it showed on its face the many names of horses written “by the respondents, Chairman Montano and Secretary Salud under each Race number, – sometimes the name of a horse appearing under different Race numbers.”

The next charge against respondent Salud is falsification, in that he made it appear in a communication sent by him, by authority of the GAB, dated November 18, 1966, that the Office of the President on November 18, 1966, lifted the one (1) year suspension imposed by the PRCI Board of Stewards on November 14, 1966, on Jockey Geni for deliberately pulling his mount during the races on that date.

In support of this charge, a certification of the Malacañang Records Officer dated February 23, 1967, was submitted in evidence attesting to the fact that no executive clemency was ever granted to said jockey relative to his suspension order of November 14, 1965. The letter signed by respondent Salud by authority of the Board, made it clear that the supposed grant of executive clemency by the office of the President was not in existence in the office of the GAB when the same was prepared. The letter informed “that the Office of the President has *motu proprio* lifted the suspension,” whereas the supposed order of the Executive Office spoke of the petition and the reasons in support thereof. As the investigating committee pointed out, “if the Office of the President has lifted the suspension *motu proprio*, it could not have acted on the petition and the reasons in support thereof.” Moreover, the committee observed, “no attempt was ever made by the respondents to prove the genuineness of the supposed order of the Office of the President [dated November 17, 1965, lifting the suspension of Jockey Geni] and of the signature of Acting Executive Secretary Salvador Mariño, put in doubt because of the Certification of the Presidential Records Officer.”

The material contradiction above indicated, when viewed in the light of the certification of the Presidential Records Officer, proves the charge of falsification or at least the offense of falsely attributing to the Office of the President the grant of executive clemency *motu proprio* to a jockey with a record of three (3) suspensions for irregularities, an act deemed sufficient to render him unfit to remain in office.

Wherefore, Mr. Rodrigo Salud is hereby removed from office as Secretary of the Games and Amusements Board, effective upon receipt of a copy of this Order.

Done in the City of Manila, this 29th day of September, in the year of Our Lord, nineteen hundred and seventy-two.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ROBERTO V. REYES
Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1972). *[Administrative Order Nos.: 317 - 348]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 343
REQUIRING DISTRICT JUDGE PERFECTO QUICHO TO RESIGN FROM THE SERVICE.

This is on administrative case filed with the Supreme Court by the Secretary of Justice against District Judge Perfecto Quicho of the Court of First Instance of Legazpi City for serious misconduct and inefficiency allegedly committed as us follows:

1. That as of July 1968 the respondent Judge had failed to decide 34 civil and criminal cases submitted for decision as early as August 5, 1962, and as late as January 17, 1968;
2. That as of July 1968 the respondent Judge had failed to resolve pending motions in 23 civil and criminal cases;
3. That, notwithstanding the failure of the respondent Judge to decide and resolve said cases and motions, and for the purpose of collecting his salary as required by Section 5 of the Judiciary Act, he falsely stated in his monthly certificates of service during the period from August 1958 to November 1968 that he had decided and resolved all cases and motions within 90 days after their submission for decision and resolution; and
4. That as of July 1968 the respondent Judge had failed to arraign the accused in 312 criminal cases, some dating back to 1964.

The charges were referred for investigation to a Justice of the Court of Appeals, who found: (1) that the respondent Judge failed to arraign the accused in 311 criminal cases in which the informations had been filed as early as 1959; (2) that respondent failed to decide 45 cases within the statutory period of 90 days; and (3) that respondent nevertheless stated in his monthly certificates of service for the period from August 1958 to November 1968 that all cases and motions had been decided and resolved within 90 days after submission.

With respect to the failure of respondent Judge to arraign the accused in pending criminal cases, the certified statement of the Clerk of Court of First Instance of Albay fixes the number of these cases at 304. Although the charge is not denied by the respondent, he argues that the “calendar of the arraignment of the accused in criminal cases is primarily the duty and concern of the Branch Clerk of Court and not of the presiding Judge himself.”

It was nevertheless the duty of the respondent Judge to personally inquire into the condition of his docket and to see that the normal movement of cases was not unnecessarily delayed. He could not simply leave the calendar of the arraignment to the Clerk of Court. As observed by the Supreme Court:

“... There can be no acceptable explanation why the accused in over three hundred criminal cases should not be arraigned at least so that where there were pleas of guilty judgments could be rendered right away, and where there were

none the cases could be calendared for trial. Indeed it appears from the certified statement of the Clerk of Court that after the accused were arraigned [all in 1969, subsequent to the filing of the administrative complaint herein] many of the cases were dismissed without trial.

“... The fact that the accused in all the 304 criminal cases were arraigned in less than a year after the present administrative complaint was filed only serves to project more clearly the dismal picture of neglect and inefficiency on the part of respondent in the performance of his duties.”

The respondent Judge, by way of explaining his delay in deciding cases and/or resolving motions already submitted, pleads lack of sufficient personnel in his court. It is true that for certain periods his court was undermanned, but this fact does not justify the delay, involving decisions in 28 cases and resolutions of motions in 17 others. The task of deciding and/or resolving cases and incidents therein pertains to the presiding Judge alone. As aptly pointed out by the Justice Investigator, “While indeed, said employees may be of considerable assistance to the Judge, the ultimate judicial task is his--it cannot be delegate.” The High Court thus found:

“It is noteworthy that after the present administrative case was filed respondent was able, in less than one year, to decide the cases and resolve the motions which had been submitted for decision or resolution, some for as long as seven years prior to 1968. This only goes to show that the insufficiency of personnel in his Court was not the cause of the delay.”

To explain his submission of false certificates of completion of work within the 90-day period prescribed in Section 5 of the Judiciary Act, for purposes of collecting his monthly salaries, the respondent Judge admits that he left the checking and verification of the status of cases pending for decision to his Branch Clerk of Court. The explanation is untenable. As observed by the Supreme Court:

“In the first place, such utter dependence upon a subordinate employee in a matter that requires, or at least presupposes, personal knowledge on the part of the judge is entirely unjustified. Secondly, it is strange to the point of incredibility that respondent should believe--with or without verification by his Branch Clerk of Court--that there were no cases pending decision and/or motions pending resolution for more than ninety days when the record shows that some of them had been submitted for decision since 1962 and 1963, or for resolution since 1966 and 1967.”

It may, however, be stated in favor of the respondent Judge that, after the present case was filed, he was able to decide the cases and resolve the motions which had long been submitted, as well as to arraign the accused in the criminal actions pending in his court.

Wherefore, and as recommended by the Supreme Court, Judge Perfecto Quicho is hereby required to resign from the service without loss of the rights and privileges which may pertain to him under the law upon such resignation, including retirement benefits, if he is qualified therefor. He should submit his resignation within three (3) days from receipt of a copy of this order, and if he fails to do so, he shall be considered resigned upon the expiration of the period given.

Done in the City of Manila, this 9th day of October, in the year of Our Lord, nineteen hundred and seventy-two.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ROBERTO V. REYES
Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1972). *[Administrative Order Nos.: 317 - 348]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 344
SUSPENDING MR. ROMAN AVILA FROM OFFICE AS ASSISTANT PROVINCIAL
FISCAL OF LEYTE.

This is an administrative case against Assistant Provincial Fiscal Roman A. Avila of Leyte for (1) acts of oppression and conduct unbecoming a public official and (2) engaging in political activities. The case was formally investigated by a senior state prosecutor of the Department of Justice who found respondent guilty of the charge and recommended that he be suspended for one (1) year without pay, in which the Secretary of Justice concurs.

The record discloses that in the early evening of October 25, 1969, while complainant Francisca Cañeda was dining in her home in Barugo, Leyte, with her guests and co-teachers, Miss Genoveva Ayuste and Mesdames Dorotea Adizas and Angeles Costalo, the respondent and Mrs. Ines A. Astorga arrived. After the usual exchange of pleasantries, Mrs. Astorga told the group that they went there to verify whether complainant was really filing charges against respondent's wife at her (Mrs. Astorga's) instigation, to which complainant answered in the negative. Unbelieving, respondent flared up and called her a liar. Cooler heads intervened, but he continued heaping insults and heated exchanges of words ensued. He called all of them name, like "liar," "bastos," etc. At one point he told Hiss Ayuste that she was no longer a virgin, as she once had an affair with a man and that the reason he (respondent) did not marry her (Ayuste) was that she was "foolish" — whatever that meant. He likewise challenged complainant and Miss Ayuste to file charges against his wife and arrogantly told then that he was not a bum nor stupid, but a bright and intelligent lawyer and fiscal and would know what to do.

It also appears that respondent did not deny uttering those words, but justified their utterance as made in retaliation. Accordingly, the evidence on the first count remains uncontradicted.

As to the second charge of engaging in political activities, the evidence against respondent is equally clear and convincing. Respondent admitted that in the night of November 11, 1969, while the "board of election inspectors of Precint No. 1-A of Barugo, Leyte, of which complainant was chairman, was canvassing the votes, he "cut in to serve the poll clerk my (his) appointment as watcher of Senator Sumulong." Add to this admission the circumstance that his name and signature appeared in the list of watchers present and in the five written protests he filed as watcher. There is, therefore, conclusive evidence that he was present as watcher in that particular night.

In his defense, respondent claimed that the Roman Avila who appeared as watcher was his cousin, also named Roman Avila, a radio technician. However, his supposed relative was not presented as witness and no explanation therefor was given. It is therefore reasonable to presume that said person did not exist or, if he did, his testimony would have been adverse.

Neither did he exert any real effort to impugn the genuineness of his signatures appearing in the board's list of watchers and in the record of watchers' protests. His best refutation would have been the specimen of his signature, but he did not give any as he failed to do so, it is again safe to presume that had he done so his specimen signatures would have been against him.

Likewise, respondent tried to establish that he was at the precinct that evening as CNEA representative. As the record stands, there is no evidence that he was legally deputized by the Commission on Elections to intervene in the board proceedings. Hence, the evidence — oral and documentary — that he was there as Senator Sumulong's (or Puyat's) watcher remains un rebutted. Respondent, therefore, stands guilty on both counts.

Respondent's acceptance of an appointment as watcher for a particular candidate and filing written protests on alleged irregularities committed by the board of election inspectors are overt acts of partisan political activities. As a government prosecutor he should know that he cannot legally act as watcher of a political candidate or of a political party.

Wherefore, and as recommended by the Secretary of Justice and the investigator, Mr. Roman A. Avila is hereby suspended from office for one (1) year without pay, effective upon receipt of a copy of this order. He is also warned that repetition of the same or similar offenses will be dealt with more severely.

Done in the City of Manila, this 12th day of October, in the year of Our Lord, nineteen hundred and seventy-two.

(Sgd.) **FERDINAND E. MARCOS**

By the President:
(Sgd.) **RONALDO B. ZAMORA**
Assistant Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1972). [*Administrative Order Nos.: 317 - 348*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 345
SUSPENDING MR. JOSE T. LLOREN FROM OFFICE AS MUNICIPAL JUDGE
OF ITOGON, BENGUET.

This is an administrative case filed by Aurelio Lardizabal and his daughter, Juanita, against Municipal Judge Jose T. Lloren of Itogon, Benguet, for allegedly solemnizing an illegal marriage between the complainant Juanita Lardizabal and Jesus Espiritu Jr.

The complaint substantially alleges that the marriage was solemnized without a valid marriage license; and that it was solemnized outside the territorial jurisdiction of respondent and without the consent of complainant Juanita Lardizabal. The respondent denied the charges which were investigated by District Judge Feliciano Belmonte.

The evidence, both oral and documentary, discloses that on September 30, 1968, respondent Judge ordered his clerk-stenographer to prepare two applications for marriage licenses for and in behalf of Judge Espiritu Jr. and Anita (probably referring to Juanita) Lardizabal. Both applications were sworn to by the respondent. Aside from the applications, the contracting parties also executed separate sworn statements to the effect that advice of the parents or guardian has been asked, also sworn to by respondent Judge. On the part of Jesus Espiritu Jr., the advice was given by his father, while on the part of Anita Lardizabal, by her guardian, Trinidad Vinculado, although in her sworn application she stated that her mother is alive. On the same date, the clerk-stenographer filed the accomplished applications along with other papers, with the Local Civil Registrar, Mr. Fabian Lanuza. On October 12, 1968, the supposed date of marriage, the contracting parties appeared before the respondent at the Biñanga Police Outpost at Itogon, who asked them for their marriage license. Failing to show any, and after explaining that they have gone to the Registrar's Office but found no people there, respondent Judge called up through the telephone the Assistant Local Civil Registrar Mr. Pascasio Lozano, asking the latter to issue the marriage license of Anita Lardizabal and Jesus Espiritu Jr. Mr. Lozano replied that he could not issue the license, as there had been no publication of the notice of the application as required by law. Upon threat of being prosecuted for dereliction of duty, however, Mr. Lanuza, Local Civil Registrar, issued the license on the same day. In the presence of Jesus Espiritu Sr., Trinidad Vinculado and a precinct guard, Anita Lardizabal and Jesus Espiritu Jr. were married by respondent.

Upon consideration of the evidence, the investigating judge found that none of the charge was proven:

First, all the papers required before respondent could solemnize the marriage appeared to be in order.

Second, there was no evidence that the marriage was solemnized in the house of respondent in Baguio City. It was held at the Biñanga Police Outpost, Itogon, near Baguio on October 12, 1968, and, therefore, within the territorial jurisdiction of respondent Judge.

Third, Juanita entered into her marriage with Jesus Espiritu Jr. voluntarily, otherwise, after she was taken to Manila by her father to whom she promised to continue her studies in the University of the Philippines in Diliman, Quezon City, where she enrolled after her marriage on October 12, 1968, she would not have rejoined her husband as proven by the fact that they entered into a church marriage in St. Gabriel Archangel Parish on March 22, 1969, in Caloocan City before Rev. Fr. Pacifico Ma. Mendoza. Those conclusions are amply substantiated by the evidence of record.

The Judge-Investigator, however, finds that respondent acted irregularly in two respects, as follows:

First, the respondent judge insisted on the issuance of the marriage license even after he was informed that there had been no publication of the notice of the application for marriage license and despite the reluctance of the Local Civil Registrar to issue the license for lack of the necessary publication. His actuations contravene Article 63 of the New Civil Code which provides that the marriage license could be issued only after the posting of the notice of the application for ten (10) consecutive days. Respondent's imprudence in asking for the marriage license to be issued by Pascasio Lozano with or without the order of Local Civil Registrar Lanuza, even though he knew that there was no previous posting showed personal interest on his part and was irregular.

Second, neither the father nor the mother of Juanita gave advice as required by law although Juanita was only 18 years old. Juanita stated though, under oath in her application, that her father was dead, and that her guardian was Trinidad Vinculado. There was no evidence that the respondent knew otherwise than what Juanita stated above. However, respondent judge made a mistake, probably unintentional, in readily accepting or believing Trinidad Vinculado as Juanita's guardian because the application clearly stated that her mother Petronila Lardizabal is still alive and resides at Tagudin, Ilocos Sur.

This irregularity was correctly laid at the door of the respondent judge because he had Juanita Lardizabal swear to the truth of her statement that her mother was alive. He should, therefore, not have allowed her to state erroneously that she had sought the advice of her guardian and should not have administered the oath on such erroneous statement.

The proven irregularities of the respondent Judge may be traced to his having taken upon himself the preparation of the papers needed for the issuance of the marriage license when such actuations were outside the duties and functions of his office. Respondent having directed his clerk-stenographer to prepare these papers when it was not his duty to do so, the responsibility for their proper preparation cannot be laid on anybody else except on him.

Wherefore, and upon the recommendation of the Secretary of Justice, Municipal Judge Jose T. Lloren is hereby suspended from office for one (1) year without pay, reprimanded and warned that a repetition of similar misconduct will be dealt with more severely.

Done in the City of Manila, this 16th day of October, in the year of Our Lord, nineteen hundred and seventy-two.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RONALDO B. ZAMORA
Assistant Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1972). *[Administrative Order Nos.: 317 - 348]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 346
CREATING THE SPECIAL RIZAL DAY CELEBRATION COMMITTEE

In order to ensure the successful celebration throughout the Philippines of this year's death anniversary of Dr. Jose P. Rizal on December 30, there is hereby created a special committee to take charge of all arrangements for the festivities composed of the following:

Secretary Juan Manuel.....	Chairman
Secretary Alejandro Melchor	Vice-Chairman
Secretary Troadio Quiazon	Member
Secretary Francisco Tatad	Member
Budget Commissioner Faustino Sy-Changco	Member
Justice Claudio Teehankee (Supreme Commander, Knights of Rizal)	Member
Undersecretary Baltazar Aquino	Member
Assistant Executive Secretary Flores Eayot	Member
Labor Undersecretary Amado Inciong	Member
OEC Deputy Administrator Severino Salang	Member
Mayor Ramon Bagatsing	Member
BTTI Commissioner Gregorio Araneta II	Member
Chairman Esteban de Ocampo, National Historical Commission.....	Member
Mrs. Leticia de Guzman (President, Civic Assembly of Women of the Phil.)	Member
Mr. Teodoro Valencia.....	Member
Mr. Cristobal Osoteo	Member-Secretary

The Committee shall meet at the call of the Chairman and, for the purpose of discharging its functions, may create such sub-committees as may be necessary.

The Committee is hereby authorized to call upon by department, bureau, office, agency or instrumentality of the Government, including government-owned or controlled corporations, for such assistance as it may need in discharging its duties and functions.

Done in the City of Manila, this 21st day of November, in the year of Our Lord, nineteen hundred and seventy-two.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1972). *[Administrative Order Nos.: 317 - 348]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 347
EXONERATING EDGARDO TORDESILLAS, VICE-CHAIRMAN OF THE BOARD OF
INVESTMENTS, FROM THE CHARGES FILED BY EUGENIO LOPEZ, SR.

This is an administrative case filed by Eugenio Lopez Sr. against Edgardo Tordesillas, Vice-Chairman, Board of Investments for taking advantage of his office and his official time to promote his private business interests, violation of the Anti-Graft and Corrupt Practices Act, discrimination and giving undue favor to an enterprise for personal favor for personal favors received, and income tax evasion.

Specifically, the complaint charges respondent with (1) using his official time to run his private business interests, and promoting, by taking advantage of his office, the sale of subdivision lots of Balesin, Inc., of which he is chairman of the Board and sole owner through Intrasia, the holding company he owns and controls and of which he is vice-chairman and general manager; (2) violating Section 3, paragraphs (h) and (i), of the Anti-Graft and Corrupt Act by subscribing to ₱400,000 worth of shares of Fil-Eastern Wood Industries, whose project was approved by the BOI; (3) prejudice and malicious discrimination against Meralco and its affiliates, and undue favor to Electro-dynamics, Inc., for personal favors received by respondent. The supplemental complaint charges respondent with continuing his connections as officer of private enterprises despite the denial by the Office of the President of his request to continue the same.

In answer to the complaint, respondent, on first charge, denies taking advantage of his office and official time to promote the business of Balesin Corporation and Intrasia, Inc., and further denies being chairman and general manager of Intrasia Investments. On the second charge, he likewise denied that he is a stockholder of Fil-Eastern Wood Industries, having sold his interests therein before assuming his position in BOI and before said enterprise filed its application with BOI. As to the third charge, he also denies having favored, through his office, Electrodynamics, Inc., since the ₱100,000 loan from Filipinas Bank and Trust is not his personal loan but that of Balesin Inc.; nor having delayed the award of the transformer project to Philippine Electric Corporation (PHILEC) and worked for the favorable consideration of the transformer project of Electrodynamics. He further denies seeking the award of a supposed discrepancy in measured capacity between the first and second Investment Priorities Plan representing 3,000 additional transformer units in favor of Electrodynamics Inc., having actually voted in favor of awarding the 3,000 additional units to Philec. On the fourth charge, he denies any income tax evasion and maintains that complainant, in his computation, failed to consider respondent's gross income of ₱97,500 for 1965-66, and part of his declared income is an uncollected fee or "amount receivable" of ₱150,000 which is unrealized income.

In answer to the supplemental complaint, respondent denies the alleged nature of his connections with the mentioned enterprises and that said connections did not conflict with his official duties, as the alleged enterprises have not applied for registration with BOI.

A formal investigation of the charges was conducted by the Presidential Investigating Committee.

A careful examination of the records of the case shows that the evidence adduced is insufficient to substantiate the various charges against respondent. Moreover, respondent has satisfactorily explained the accusations against him.

Wherefore, Mr. Edgardo Tordesillas, vice-chairman of the Board of Investments, is hereby exonerated from the instant charges against him.

Done in the City of Manila, this 11th day of December, in the year of Our Lord, nineteen hundred and seventy-two.

(Sgd.) **FERDINAND E. MARCOS**

By the President:

(Sgd.) **RONALDO B. ZAMORA**

Assistant Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1972). [*Administrative Order Nos.: 317 - 348*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

ADMINISTRATIVE ORDER NO. 348

Subject: Unknown
Date: December, 1972
Remarks: Reserved

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1972). *[Administrative Order Nos.: 317 - 348]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

ADMINISTRATIVE ORDER NO. 349
CREATING AMNESTY COMMISSIONS

Pursuant to Presidential Decree No. 95, dated January 11, 1973, I, FERDINAND E. MARCOS, in my capacity as Commander-in-Chief of the Armed Forces of the Philippines and pursuant to Proclamation No. 1081, dated September 21, 1972 and General Order No. 1 dated September 22, 1972, do hereby create nine (9) Amnesty Commissions with the following composition and territorial jurisdiction:

First Commission – for the provinces of Cotabato and South Cotabato and the cities of Cotabato and General Santos:

The Judge of the Court of First Instance in the province of Cotabato to be designated by the Secretary of Justice – Chairman;

The Provincial Commander of the Cotabato Constabulary Command – Member;

The military lawyer to be designated by the Secretary of National Defense – Member.

Second Commission – for the province of Lanao del Norte and the city of Iligan:

The Judge of the Court of First Instance in the province of Lanao del Norte to be designated by the Secretary of Justice – Chairman;

The Provincial Commander of Lanao del Norte Constabulary Command – Member;

The military lawyer to be designated by the Secretary of National Defense – Member.

Third Commission – for the province of Lanao del Sur and city of Marawi:

The Judge of the Court of First Instance of Lanao del Sur to be designated by the Secretary of Justice – Chairman;

The Provincial Commander of Lanao del Sur Constabulary Command – Member;

The military lawyer to be designated by the Secretary of National Defense – Member.

Fourth Commission – for the province of Zamboanga del Sur and the cities of Pagadian and Zamboanga:

The Judge of the Court of First Instance of Zamboanga del Sur to be designated by the Secretary of Justice – Chairman;

The Provincial Commander of Zamboanga del Sur Constabulary Command – Member

The military lawyer to be designated by the Secretary of National Defense – Member.

Fifth Commission – for the province of Zamboanga del Norte and the cities of Dipolog and Dapitan:

The Judge of the Court of First Instance in the province of Zamboanga del Norte to be designated by the Secretary of Justice – Chairman;

The Provincial Commander of the Zamboanga del Norte Constabulary Command – Member;

The military lawyer to be designated by the Secretary of National Defense – Member.

Sixth Commission – for the province of Palawan:

The Judge of the Court of First Instance in the province of Palawan to be designated by the Secretary of Justice – Chairman;

The Provincial Commander of the Palawan Constabulary Command – Member;

The military lawyer to be designated by the Secretary of National Defense – Member.

Seventh Commission – for the province of Sulu:

The Judge of the Court of First Instance in the province of Sulu to be designated by the Secretary of Justice – Chairman;

The Provincial Commander of the Sulu Constabulary Command – Member;

The military lawyer to be designated by the Secretary of National Defense – Member.

Eighth Commission for the City of Basilan:

The Judge of the Court of First Instance sitting in Basilan City to be designated by the Secretary of Justice – Chairman;

The Commanding Officer of the 464th Philippine Constabulary Company – Member;

The Military lawyer designated by the Secretary of National Defense – member.

Ninth Commission – for those cases which have been referred to the military authorities on or before February 28, 1973 for trial or with a view to trial by military tribunals:

The Judge Advocate General, Armed Forces of the Philippines – Chairman;
The Constabulary Judge Advocate General – Member;
The representative of the Secretary of Justice to be designated by him –
Member.

The Amnesty Commissions herein created shall examine the facts and circumstances surrounding each case and may conduct summary hearings as may be necessary. The decision or resolution on any given case need not state the facts in detail but merely and briefly the grounds upon which it is based. Cases already on appeal may be passed upon by the Amnesty Commissions. Any reasonable doubt as to whether a given case falls within the proclamation shall be resolved in favor of the persons applying for amnesty.

The Judge who shall be the Chairman of each commission shall make available such stenographers and employees of his sala as may be needed by his commission. Should the position of Chairman of a commission become vacant by reason of death, incapacity, resignation or transfer, the same shall be filled by the Secretary of Justice, who shall appoint another Judge to the position. In the event of temporary incapacity of the Chairman, the Secretary of Justice may likewise designate another Judge who shall act as Chairman for the duration of the incapacity of the regularly appointed chairman.

Vacancies in the membership of the commission held by the Provincial Commander shall be filled by the succeeding Provincial Commander appointed.

Vacancies in the membership held by a military lawyer shall be filled by the Secretary of National Defense who shall appoint another military lawyer thereto.

The different commissions herein created shall begin to function within seven days from the promulgation of this Order.

Done in the City of Manila, this 11th day of January, in year of Our Lord, nineteen hundred and seventy-three.

(Sgd.) **FERDINAND E. MARCOS**

By the President:

(Sgd.) **ROBERTO V. REYES**

Asst. Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1973). *[Administrative Order Nos.: 349 - 438]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

ADMINISTRATIVE ORDER NO. 350
CREATING AMNESTY COMMISSIONS

Pursuant to Presidential Decree No. 124 dated February 2, 1937, I, FERDINAND E. MARCOS in my capacity as Commander-in-Chief of the Armed Forces of the Philippines, and pursuant to Proclamation No. 1104, dated January 17, 1973, do hereby create three (3) Amnesty Commissions with the following composition and territorial jurisdiction:

FIRST COMMISSION – for Luzon and Palawan, all provinces cities and island traditionally belonging to the said Luzon and Palawan:

The Judge Advocate General, AFP – Chairman.

Two Judges of Courts of First Instance to be designated by the Secretary of Justice – Members.

SECOND COMMISSION – for the Visayas, all islands traditionally comprising the said group, all provinces and cities within the said group of islands.

The Commander, Third Philippines Constabulary Zone – Chairman.

Two (2) Judges of the Courts of First Instance to be designated by the Secretary of Justice – Members.

THIRD COMMISSION – for the islands of Mindanao, Sulu Archipelago, all islands traditionally belonging to the said group, all provinces and cities situated therein:

The commander, Fourth Philippine Constabulary Zone – Chariman.

Two (2) Judges of the Courts of First Instance to be designated by the Secretary of Justice – Members.

The Amnesty Commissions herein created shall examine the facts and circumstances surrounding each case and may conduct summary hearings as may be necessary. The decision or resolution on any given case need not state the facts in detail but merely and briefly the grounds upon which it is based. Cases already on appeal may be passed upon by the Amnesty Commission. Any reasonable doubt as to whether a given case falls within the proclamation shall be resolved in favor of the persons applying for amnesty.

Should the position of Chairman become vacant by reason of death, incapacity, resignation or separation, the Secretary of National Defense shall designate as Chairman the succeeding Zone Commander or Judge Advocate General appointed.

Vacancies in the membership of the Commission held by the Judges of the Courts of First Instance shall be filled by the Judge of Court of First Instance designated by the Secretary of Justice.

The different Commissions herein created shall begin to function within seven days from the promulgation of this Order.

The Armed Forces of the Philippines shall make available such stenographers, employees, equipment and such other support as may be necessary.

Done in the City of Manila, this 2nd day of February, in the year of Our Lord, nineteen hundred and seventy-three.

(Sgd.) **FERDINAND E MARCOS**
President
Republic of the Philippines

By the President:
(Sgd.) **ALEJANDRO MELCHOR**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1973). [*Administrative Order Nos.: 349 - 438*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 351

MODIFYING ADMINISTRATIVE ORDER NO. 375 DATED DECEMBER 18, 1961, REMOVING
MR. ERIBERTO B. MISA JR. FROM OFFICE AS ASSISTANT DIRECTOR OF PRISONS.

After considering the petition for reconsideration filed in behalf of Mr. Eriberto B. Misa Jr. who was removed from office as Assistant Director of Prisons under Administrative Order No. 375 dated December 18, 1961, for culpable neglect and gross inefficiency in the performance of duty and maladministration with grave abuse of authority and violation of civil service law, rules and regulations, I am satisfied that the decision may stand modification.

Wherefore, Administrative Order No. 375 dated December 18, 1961, removing Mr. Eriberto B. Misa Jr. as Assistant Director of Prisons is hereby modified in the sense that he is considered as having voluntarily resigned from office, effective November 5, 1958, the date of his preventive suspension.

Done in the City of Manila this 6th day of February, in the year of Our Lord, nineteen hundred and seventy-three.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ROBERTO V. REYES
Assistant Executive Secretary

Source: **Malcañang Records Office**

Office of the President of the Philippines. (1973). *[Administrative Order Nos.: 349 - 438]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 352

**CREATING AN EXECUTIVE COMMITTEE TO TAKE CHARGE OF THE PLANNING AND
EXECUTION OF COMMEMORATIVE ACTIVITIES FOR THE 31ST ANNIVERSARY OF THE
FALL OF BATAAN AND THE FALL OF CORREGIDOR.**

WHEREAS, the Fall of Bataan and the Fall of Corregidor are historic milestone in our nationhood;

WHEREAS, it is deemed fitting and proper to commemorate these historic events with appropriate activities and/or ceremonies in order to impress our people as well as the rest of the world of the efforts and sacrifices of those who fought and died during the crucial struggle for freedom and democracy, and of the transcending significance of such struggle in our national undertakings and aspirations;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby constitute and create an Executive Committee to formulate plans and devise ways and means for the successful execution of appropriate activities and/or ceremonies for the commemoration of the 31st anniversary of the Fall of Bataan and the Fall of Corregidor. The Committee shall be composed of the following:

General Romeo C. Espino	–	Honorary Chairman
Chief of Staff, AFP		
Col. Rizalino P. Lacuna	–	Chairman
National Commander, DBC		
Comdr. Romulo M. Espaldon	–	Co-Chairman
Deputy Chief of Staff, AFP		
Col. Manuel A. Acosta (Ret.)	–	Vice Chairman
Executive Director, NSC		
Commr. Gregorio Araneta II	–	Member
Philippine Tourist Commission		
Brig. Gen. Teodorico P. Almuete (Ret.)	–	Member
Assistance Center for Ex-Servicemen, DND		
Brig. Gen. Rafael G. Zagala	–	Member
Philippine Army		
Comdr. Hilario M. Ruiz	–	Member
Philippine Navy		
Gov. Efren M. Pascual	–	Member
Province of Bataan		
Prof. Esteban A. de Ocampo	–	Member
National Historical Commission		

Engr. Felix C. Codilla	–	Member
Dept. of Public Marks, Trans. & Communications		
Mr. Patrick Pineda	–	Member
Dept. of Agri. & Nat. Resources		
Engr. Delfin Bacho	–	Member
Veterans Federation of the Philippines		
Mr. Vicente Liwag	–	Member
Defenders of Bataan & Corregidor		
Col. Teofilo San Agustin (Ret.)	–	Member
Defenders of Bataan & Corregidor		
Col. Antonio S. Vinluan (Ret.)	–	Member/Secretary
Defenders of Bataan & Corregidor		

The Committee is empowered to call upon any department, bureau, office, agency or instrumentality of the government for such assistance as it may need, and to create such committee, sub-committee or staffs as may be necessary.

Done in the City of Manila, this 20th day of March, in the year of Our Lord, nineteen hundred and seventy-three.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1973). [*Administrative Order Nos.: 349 - 438*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 353

IN RE: ADMINISTRATIVE CASES AGAINST CERTAIN OFFICIALS UNDER THE
DEPARTMENT OF JUSTICE.

After investigation duly conducted and pursuant, on the whole, to the findings and recommendation of the Secretary of Justice, the following actions are hereby taken on the cases of certain officials under the Department of Justice, to wit:

A. Suspended without pay

<u>Name</u>	<u>Position</u>	<u>Cause</u>	<u>Duration</u>
1. GABRIEL O. VALLE JR.	Asst. Provincial Fiscal, Cagayan	Gross ignorance of the law and grave abuse of discretion	one year
2. LEOPOLDO DE JESUS	Register of Deeds Camarines Norte	Acts unbecoming a public officer	6 months w warning

B. Fined with warning

<u>Name</u>	<u>Position</u>	<u>Cause</u>	<u>Equivalent</u>
1. BELINDA V. ANTONIO	Clerk of Court CFI, Negros Occ. at San Carlos City	Neglect of Duty	1 month's

C. Reprimanded

<u>Name</u>	<u>Position</u>	<u>Cause</u>
1. CARLITO U. ALVIZO	Clerk of Court CFI, Surigao del Sur	Absence without leave

Done in the City of Manila, this 13th day of April, in the year of Our Lord, nineteen hundred and seventy-three.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1973). [*Administrative Order Nos.: 349 - 438*]. Manila: Malacañang Records Office.

MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 354IN RE ADMINISTRATIVE CASE AGAINST MR. GODOFREDO B. GALINDEZ,
FORMER MUNICIPAL JUDGE OF SULTAN SA BARONGIS, COTABATO.

This is an administrative case against Municipal Judge Godofredo B. Galindez of Sultan sa Barongis, Cotabato, since compulsorily retired, filed by Atty. Estanislao V. Valdez for ignorance of the law and gross negligence in connection with his actuaciones in Criminal Case No. 732 and Special Proceedings No. 88 of his court. The case was formally investigated by District Judge Abelardo Aportadera of the Court of First Instance of Cotabato City.

A. With respect to Criminal Case No. 732 (homicide thru reckless imprudence), the evidence adduced at the investigation shows that respondent Judge issued a subpoena for the appearance of the accused in said criminal case on September 20, 1969; that for failure of the accused to appear on that date, respondent ordered his arrest; that when the accused was brought before the respondent on September 24, 1969, the former's lawyer prepared a waiver of preliminary investigation which was mailed on the same day; and that notwithstanding the explanation of the accused, respondent on the same day, ordered the detention of the accused and the cancellation of his bail bond, without giving notice to the sureties and notwithstanding his waiver of preliminary investigation. It was not until the accused had been detained for three (3) days that respondent lifted his order cancelling the bail bond and ordered the release of the accused. Also, despite the accused's waiver of preliminary investigation, respondent set the case for arraignment and trial instead of remanding it immediately to the Court of First Instance.

The single failure of the accused to comply with a subpoena did not justify respondent in cancelling his bail bond in the face of the former's explanation that such failure was not intentional. The evidence thus bears out the conclusion of the investigating Judge that respondent was ignorant of the law, as demonstrated not only by the detention of the accused upon the cancellation of his bail bond but also by the undue delay in the proceedings caused by respondent's setting the case for arraignment and trial instead of remanding it immediately to the Court of First Instance after the waiver by the accused of the preliminary investigation.

B. As regards Special Proceedings No. 88 of his court, it was duly established that respondent collected on November 1, 1969, the amount of ₱32 as filing fees but turned over said amount to the Municipal Treasurer as required by law only on April 27, 1971, after more than one (1) year and five (5) months and only after he was informed of the instant complaint against him.

After a careful review of the case, I agree with the Secretary of Justice that respondent is guilty as charged. However, considering that respondent has practically confessed the offenses committed by him and that he did them in good faith coupled with the fact that this is his first administrative case and has been long in the service, respondent deserves some leniency.

Wherefore, Mr. Godofredo Galindez is hereby considered resigned from the service as Municipal Judge of Sultan Sa Barongis, Cotabato, effective as of the date of his compulsory retirement, without

prejudice to receiving retirement and other benefits, if any, to which he may be entitled under existing laws.

Done in the City of Manila, this 17th day of July, in the year of Our Lord, nineteen hundred and seventy-three.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) ALEJANDRO MELCHOR

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1973). *[Administrative Order Nos.: 349 - 438]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 355
CREATING A COMMITTEE TO RE-INVESTIGATE THE CHARGES AGAINST
BENIGNO S. AQUINO, JR., ET. AL.

WHEREAS, criminal charges were filed against Benigno S. Aquino, Jr. and others with Military Commission No. 2 by the Chief, Prosecution Staff, Judge Advocate General's Office, AFP, docketed therein as follows:

1. People of the Philippines vs. Benigno S. Aquino, Jr., Crim. Case No. MC-2-19 for illegal possession of firearms, ammunitions, explosives and accessories.
2. People of the Philippines vs. Benigno S. Aquino, Jr. and Benjamin Bie, Jr. Alias Comdr. Melody, Crim. Case No. MC-2-20 for violation of RA 1700.
3. People of the Philippines vs. Benigno S. Aquino, Jr. and Benjamin Sanguyo Alias Comdr. Pusa, Crim. Case No. MC-2-21 for violation of RA 1700.
4. People of the Philippines vs. Benigno S. Aquino, Jr., Bernabe Buscayno Alias Comdr. Dante, Peter Doe Alias Peter Ilocano, Joseph Doe Alias Puriok, Crim. Case No. MC-2-22 for murder.
5. People of the Philippines vs. Benigno S. Aquino, Jr. and Bernabe Buscayno Alias Comdr. Dante, Crim. Case No. MC-2-23 for violation of RA 1700.
6. People of the Philippines vs. Benigno S. Aquino, Jr., Benjamin Sanguyo Alias Comdr. Pusa and PC Lt. Victor Corpuz, Crim. Case No. MC-2-24 for violation of RA 1700.

WHEREAS, said charges were filed after due investigation by the Prosecution Staff of the Judge Advocate General's Office;

WHEREAS, Benigno S. Aquino, Jr. and his counsel have repeatedly complained, orally and in writing, that the accused has been denied his constitutional right to due process and have openly questioned the regularity and fairness of the application to him of the established procedure sanctioned by law and practice;

WHEREAS, although the Prosecution Staff is assumed to have conducted a fair and impartial initial investigation, it is desirable to reassure the accused that he continues to enjoy his constitutional right to due process and to remove any doubt whatsoever in the mind of anybody that only after finding a *prima facie* case against him were charges files;

WHEREAS, it is necessary for the above purpose that a Committee be created to conduct a re-investigation of said charges to demonstrate that everything is being done to insure utmost fairness, impartiality and objectivity in the prosecution of the charges against the accused and to determine whether really there is reasonable ground to believe that the offenses charged were in fact committed and the accused is probably guilty thereof.

NOW, THEREFORE, there is hereby created a Committee to be composed of five (5) members as follows: A retired Justice of the Supreme Court to be designated by the Chief Justice as Chairman and

four (4) members to be designated, respectively, by the accused himself, the President of the Integrated Bar of the Philippines, the Secretary of Justice and the Secretary of National Defense, all of whom must be learned in the law, reputed for probity, integrity, impartiality, incorruptibility and fairness and must have had no previous connection in this matter either as counsel or investigator. Should the accused decline to designate a representative to the Committee, the Chief Justice shall designate someone in his stead. In case of the death or incapacity of any member of the Committee, the vacancy shall be filled by designation by the same official who designated the deceased or incapacitated member.

The Committee shall have all the powers vested by law in officials authorized to conduct preliminary investigations and the accused shall enjoy all the rights of an accused person under the Constitution.

The Committee shall convene immediately, conduct the preliminary investigation in the most expeditious manner and submit its findings to the Secretary of Justice.

To prevent a failure or delay of justice, any testimonial evidence presented before the Committee may be used in any proceeding or action before any court or tribunal, civil or military, without need of presenting the witness or witnesses who testified in case such witness or witnesses have died or left the country or become unable to testify.

The Committee may call upon any Department, Bureau, office, agency or instrumentality of the Government for such assistance and facilities as it may need in the accomplishment of its task.

Done in the City of Manila, this 28th day of August, in the year of Our Lord, nineteen hundred and seventy-three.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) RONALDO B. ZAMORA

Assistant Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1973). *[Administrative Order Nos.: 349 - 438]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 356
MODIFYING ADMINISTRATIVE ORDER NO. 353 DATED APRIL 13, 1973, SUSPENDING
MR. GABRIEL O. VALLE JR. FROM OFFICE AS ASSISTANT PROVINCIAL FISCAL OF
CAGAYAN FOR ONE (1) YEAR WITHOUT PAY.

After considering the petition for reconsideration filed by Mr. Gabriel O. Valle Jr., who was suspended from office as Assistant Provincial Fiscal of Cagayan under Administrative Order No. 353 dated April 13, 1973, for gross ignorance of the law and grave abuse of discretion, I am satisfied that the order may stand modification.

Wherefore, Administrative Order No. 353 dated April 13, 1973, concerning Gabriel O. Valle Jr., Assistant Provincial Fiscal of Cagayan, is hereby modified from one year suspension without pay to suspension he has actually undergone as sufficient punishment. He is hereby accordingly reinstated in the service effective immediately.

Done in the City of Manila, this 30th day of October, in the year of Our Lord, nineteen hundred and seventy-three.

(Sgd.) **FERDINAND E. MARCOS**

By the President:
(Sgd.) **RONALDO B. ZAMORA**
Assistant Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1973). *[Administrative Order Nos.: 349 - 438]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 357
CREATING THE SPECIAL RIZAL DAY CELEBRATION COMMITTEE

In order to ensure the successful celebration throughout the Philippines of this year's death anniversary of Dr. Jose P. Rizal on December 30, there is hereby created a special committee to take charge of all arrangements for the festivities composed of the following:

Undersecretary Narciso Albarracin	Chairman
Assistant Executive Secretary Roberto V. Reyes	Vice Chairman
Undersecretary Ruben Canoy	Member
Undersecretary Rosendo Marquez	Member
Undersecretary Gregorio Araneta II	Member
Deputy Commissioner Juan Agcaoili	Member
Justice Claudio Teehankee	Member
(Supreme Commander, Knights of Rizal)	
Justice Cecilia Mufioz Palma	Member
(President, Civic Assembly of Women of the Philippines)	
Undersecretary Baltazar Aquino	Member
Undersecretary Manuel Salientes	Member
Mayor Ramon Bagatsing	Member
Chairman Esteban de Ocampo	Member
Mr. Teodoro Valencia	Member
Mr. Cristobal Osoteo	Member-Secretary

The Committee shall meet at the call of the Chairman and, for the purpose of discharging its functions, may create such sub-committees as may be necessary.

The Committee is hereby authorized to call any department, bureau, office, agency or instrumentality of the Government, including government-owned or controlled corporations, for such assistance as it may need in discharging its duties and functions.

Done in the City of Manila, this 14th day of November, in the year of Our Lord, nineteen hundred and seventy-three.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1973). *[Administrative Order Nos.: 349 - 438]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 358

CREATING AN EXECUTIVE COMMITTEE TO TAKE CHARGE OF THE PLANNING AND
EXECUTION OF COMMEMORATIVE ACTIVITIES FOR THE 32ND ANNIVERSARY OF THE
FALL OF BATAAN AND THE FALL OF CORREGIDOR.

WHEREAS, the Fall of Bataan and the Fall of Corregidor are historic milestone in our nationhood;

WHEREAS, it is deemed fitting and proper to commemorate these historic events with appropriate activities and/or ceremonies in order to impress our people as well as the rest of the world of the efforts and sacrifices of those who fought and died during the crucial struggle for freedom and democracy, and of the transcending significance of such struggle in our national undertakings and aspirations;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby constitute and create an Executive Committee to formulate plans and devise ways and means for the successful execution of appropriate activities and/or ceremonies for the commemoration of the 32nd anniversary of the Fall of Bataan and the Fall of Corregidor. The Committee shall be composed of the following:

Undersecretary Manuel Q. Salientes	–	Chairman
Department of National Defense		
Maj. Gen. Fabian C. Ver	–	Co-Chairman
Presidential Security Command		
Atty. Juan L. Gacad	–	Vice Chairman
Philippine Veterans Affairs Office		
Governor Efren M. Pascual	–	Member
Province of Bataan		
Governor Dominador Camerino	–	Member
Province of Cavite		
Maj. Gen. Rafael G. Zagala	–	Member
Philippine Army		
Rear Adm. Hilario M. Ruiz	–	Member
Philippine Navy		
Director Jose Clemente	–	Member
Department of Tourism		
Engr. Felix C. Codilla	–	Member
Department of Public Works		
Engr. Delfin Bacho	–	Member
Veterans Federation of the Philippines		

Professor Jorge L. Revilla	–	Member
Students Assistance Committee		
Brig. Gen. Teodorico P. Almuete (Ret)	–	Member
Phil. Veterans Assistance Commission		
Colonel Antonio S. Vinluan (Ret)	–	Member
Defenders of Bataan & Corregidor		
Colonel Manuel A. Acosta (Ret)	–	Member/Secretary
Military Memorials Division, PVAO		

The Committee is empowered to call upon any department, bureau, office, agency or instrumentality of the government for such assistance as it may need, and to create such committee, sub-committee or staffs as may be necessary.

Done in the City of Manila, this 18th day of March, in the year of Our Lord, nineteen hundred and seventy-four.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1974). *[Administrative Order Nos.: 349 - 438]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 359
AMENDING ADMINISTRATIVE ORDER NO. 349 CREATING AMNESTY COMMISSIONS

Pursuant to Presidential Decree No. 95, dated January 11, 1973, I, FERDINAND E. MARCOS, do hereby amend Administrative Order No. 349, creating Amnesty Commissions, so as to read as follows:

“Pursuant to Presidential Decree No. 95, dated January 11, 1973, I, FERDINAND E. MARCOS, in my capacity as Commander-in-Chief of the Armed Forces of the Philippines and pursuant to Proclamation No. 1081, dated September 21, 1972 and General Order No. 1, dated September 22, 1972, as amended, do hereby create nine (9) Amnesty Commissions with the following composition and territorial jurisdiction:

First Commission – for the provinces of North Cotabato, Maguindanao, Sultan Kudarat and South Cotabato and the cities of Cotabato and General Santos:

The Provincial Fiscal of the province of North Cotabato to be designated by the Secretary of Justice – Chairman;

The Provincial Commander of the Cotabato Constabulary Command – Member;

The military lawyer to be designated by the Secretary of National Defense – Member.

Second Commission – for the province of Lanao del Norte and the city of Iligan;

The Provincial Fiscal of the province of Lanao del Norte to be designated by the Secretary of Justice – Chairman;

The Provincial Commander of Lanao del Norte Constabulary Command – Member;

The military lawyer to be designated by the Secretary of National Defense – Member.

Third Commission – for the province of Lanao del Sur and city of Marawi:

The Provincial Fiscal of the province of Lanao del Sur to be designated by the Secretary of Justice – Chairman;

The Provincial Commander of Lanao del Sur Constabulary Command – Member;

The military lawyer to be designated by the Secretary of National Defense – Member.

Fourth Commission – for the province of Zamboanga del Sur and the cities of Pagadian and Zamboanga:

The Provincial Fiscal of the province of Zamboanga del Sur to be designated by the Secretary of Justice – Chairman;

The Provincial Commander of Zamboanga del Sur Constabulary Command – Member;

The military lawyer to be designated by the Secretary of National Defense – Member.

Fifth Commission – for the province of Zamboanga del Norte and the cities of Dipolog and Dapitan.

The Provincial Fiscal of the province of Zamboanga del Norte to be designated by the Secretary of Justice – Chairman;

The Provincial Commander of the Zamboanga del Norte Constabulary Command – Member;

The military lawyer to be designated by the Secretary of National Defense – Member.

Sixth Commission – for the province of Palawan:

The Provincial Fiscal of the province of Palawan to be designated by the Secretary of Justice – Chairman;

The Provincial Commander of the Palawan Constabulary Command – Member;

The military lawyer to be designated by the Secretary of National Defense – Member.

Seventh Commission – for the province of Sulu and the province of Tawi-Tawi:

The Provincial Fiscal of the province of Sulu to be designated by the Secretary of Justice – Chairman;

The Provincial Commander of the Sulu Constabulary Command – Member;

The military lawyer to be designated by the Secretary of National Defense – Member.

Eighth Commission – for the province of Basilan and the city of Basilan:

The City Fiscal of Basilan City to be designated by the Secretary of Justice – Chairman;

The Commanding Officer of the 464th Philippine Constabulary Company – Member;

The military lawyer to be designated by the Secretary of National Defense – Member.

Ninth Commission – for those cases which have been referred to the military authorities on or before February 28, 1973 for trial or with a view to trial by military tribunals:

The Judge Advocate General, Armed Forces of the Philippines – Chairman;

The Constabulary Judge-Advocate General – Member;

The representative of the Secretary of Justice to be designated by him – Member.

The Amnesty Commissions herein created shall examine the facts and circumstances surrounding each case and may conduct summary hearings as may be necessary. The decision or resolution on any given case need not state the facts in detail but merely and briefly the grounds upon which it is based. Cases already on appeal may be passed upon by the Amnesty Commissions. Any reasonable doubt as to whether a given case falls within the proclamation shall be resolved in favor of the persons applying for amnesty.

The Provincial or City Fiscal, as the case may be, who shall be the Chairman of each commission shall make available such stenographers and employees of his sala as may be needed by his commission. Should the position of Chairman of a commission become vacant by reason of death, incapacity, resignation or transfer, the same shall be filled by the Secretary of Justice, who shall appoint another Fiscal to the position. In the event of temporary incapacity of the Chairman, the Secretary of Justice may likewise designate another Fiscal who shall act as Chairman for the duration of the incapacity of the regularly appointed Chairman.

Vacancies in the membership of the commission held by the Provincial Commander shall be filled by the succeeding Provincial Commander appointed.

Vacancies in the membership held by a military lawyer shall be filled by the Secretary of National Defense who shall appoint another military lawyer thereto.”

This Order shall take effect within seven days from the promulgation hereof.

Done in the City of Manila, this 21st day of March, in the year of Our Lord, nineteen hundred and seventy-four.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **ALEJANDRO MELCHOR**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1974). *[Administrative Order Nos.: 349 - 438]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 360
CREATING A COMMITTEE TO COORDINATE AND DIRECT THE ESTABLISHMENT OF A
PHILIPPINE PORTS AUTHORITY

WHEREAS, in order to realize in the shortest possible time, the creation of the Philippine Ports Authority which is considered vital to the country's economy, there is a need to create a body which will coordinate and direct the establishment of the same:

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby create a Policy Committee on Philippine Ports composed of the following:

- a) The Secretary of Finance ----- Chairman
- b) The Secretary of Public Works Transportation and
Communications ----- Member
- c) The Deputy Director-General, National Economic and
Development Authority ----- Member
- d) The Commissioner of Customs ----- Member
- e) The Director of Public Works ----- Member

The Committee shall have the following powers, duties and functions:

- a) Provide direction, coordination, guidance and effective management for the establishment of a Philippine Port Authority, including Port Management Units in selected ports;
- b) Review and approve the terms of reference for consultancy services, screen consultants and select the most suitable consultant to advise and assist the Government in the establishment of the Philippine Ports Authority.
- c) Organize a counterpart staff to work with the selected Consultant in the establishment of a Philippine Ports Authority;
- d) Review the recommendations of the Consultant;
- e) Review and approve the operational, management, engineering and documentation procedures and staffing plans for the Philippine Ports Authority and the Ports Management Units in the ports concerned.

The Committee shall meet at the call of the Chairman for the purpose of discharging its functions and may create ad hoc sub-committees as may be necessary.

The Committee is hereby authorized to call upon any department, bureau, office, agency or instrumentality of the government, including government-owned or controlled corporations, for such assistance as it may need in discharging its duties and functions. This would include the detail, assignment, contract, or appointment of such personnel as may be necessary to the consultant's

counterpart staff, and furnishing of data, records or any information pertinent to the objectives of the Philippine Ports Authority. Such sums as may be necessary for the foregoing activities shall be funded from the Portworks Special Fund released to the Bureau of Public Works.

The Committee shall cease to exist upon the establishment and operations of the Philippine Ports Authority or when sooner revoked by this Office.

Done in the City of Manila, this 25th day of April, in the year of our Lord, nineteen hundred and seventy-four.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **ROBERTO V. REYES**
Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1974). [*Administrative Order Nos.: 349 - 438*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 361
CREATING AN AD HOC COMMITTEE TO STUDY THE PROBLEMS OF THE SUGAR
INDUSTRY

WHEREAS the sugar industry is a main foreign exchange earner of the country making it a vital sector of the economy;

WHEREAS the sugar industry is presently confronted with serious problems that would negatively affect its significant contribution to the country, unless immediately studied and solved;

WHEREAS the members of the industry have pointed out certain problem areas for immediate resolution if the industry is to continue the important role it currently plays in the Philippine economy;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby constitute and create an Ad Hoc Committee to study the problems of the sugar industry. The Committee shall be composed of the following:

The Director General National Economic and Development Authority	–	Chairman
The Secretary of Trade or his representative	–	Member
The Secretary of Industry or his representative	–	Member
The Administrator, Sugar Quota Administration or his representative	–	Member
The Governor, Central Bank of the Philippines or his representative	–	Member
The President, Philippine National Bank or his representative	–	Member

It shall be the responsibility of the Committee to look into the current problems now plaguing the sugar industry particularly those areas identified by the members of the Philippine Sugar Association such as:

- 1) Problems arising from the implementation of the single agency concept especially as it affects the industry's financing arrangements.
- 2) Problems affecting the marketing of sugar both here and abroad, including the question of allocation.
- 3) Problems of pricing.

On account of the urgency of the aforementioned problems, the Committee is hereby directed to meet among themselves and with the members of the sugar industry and other related groups and to come up with their findings and recommendations within a period of one week from the date hereof.

Further, in the performance of its functions, the Committee is empowered to call upon any department, bureau, agency or instrumentality of the government for such assistance as it may need, and to create such committee, sub-committee or staffs as may be necessary.

Done in the City of Manila, this 17th day of September, in the year of Our Lord, nineteen hundred and seventy-four.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

Source: **Malacañang Records**

Office of the President of the Philippines. (1974). *[Administrative Order Nos.: 349 - 438]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 362
CREATING A COMMITTEE FOR THE FORTHCOMING 8TH SESSION OF THE FAO
INTERGOVERNMENTAL GROUP ON HARD FIBERS.

WHEREAS, the Philippines is a major world producer of abaca and as such must sustain the ever-increasing demand from all sectors dependent on it for raw materials to manufacture marine cordage, pulp and paper, handicrafts and all other abaca-based products;

WHEREAS, in addition to the current program of the Department of Agriculture to rehabilitate and develop the abaca industry, the forthcoming 8th session of the FAO Inter-governmental Group on Hard Fibers to be held in Manila would undoubtedly drum up more enthusiastic response from among our abaca farmers/producers;

WHEREAS, as host to the FAO's Session on Hard Fibers which will be held in Manila on January 22-25, 1975, the first FAO Conference ever held in Asia and only the second outside of Rome, would considerably prove to the world the changes and achievements of our New Society;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby constitute and create a Committee to supervise and coordinate the necessary preparations and arrangements for the forthcoming FAO Conference on Hard Fibers in Manila and undertake liaison work with the FAO Secretariat in Rome, such Committee to be composed of the following:

Agriculture Undersecretary J.D. Drilon, Jr.	–	Chairman
Mr. Arcadio D. Sarmiento, Department of Agriculture	–	Vice-Chairman
Mr. Vidalito F. Ranoa, Department of Trade	–	Member
Mrs. Ramona Miguel, Board of Investments	–	Member
Mr. Verden Dangilan, Development Bank of the Philippines	–	Member
Mr. Manuel Soliven, Philippine National Bank	–	Member
Mr. Ernesto Singson, Department of Tourism	–	Member
Mr. Sergio A. Barrera, Department of Foreign Affairs	–	Member
Mr. Lorenzo Cruz, Bureau of National Foreign Information	–	Member
Mr. Marcelino de Guzman, Department of National Defense	–	Member
Mr. Bernardo Ricarte, Bureau of Customs	–	Member
Mr. Bernardo G. Silverio, Isarog Pulp and Paper Co.	–	Adviser
Mr. Jose R. Mejia, Columbian Philippines, Co.	–	Adviser

The Committee is empowered to call upon any department, bureau, office, agency or instrumentality of the government for such assistance as it may need for the accomplishment of its task.

Done in the City of Manila, this 2nd day of December, in the year of our Lord, nineteen hundred and seventy-four.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1974). [*Administrative Order.*: 349 - 438]. Manila: Malacañang Records Office.

MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 363
CREATING THE SPECIAL RIZAL DAY CELEBRATION COMMITTEE

In order to ensure the successful celebration throughout the Philippines of this year's death anniversary of Dr. Jose P. Rizal on December 30, there is hereby created a special committee to take charge of all arrangements for the festivities composed of the following:

Education and Culture Undersecretary Narciso Albarracin	Chairman
Assistant Executive Secretary Roberto V. Reyes	Vice-Chairman
Supreme Court Associate Justice Claudio Teehankee (Supreme Commander, Knights of Rizal).....	Member
Supreme Court Associate Justice Cecilia Munoz Palma (President, Civic Assembly of Women of the Philippines)	Member
Public Works and Communications Undersecretary Aber Canlas	Member
Defense Undersecretary Manuel Q. Salientes.....	Member
Local Government and Community Development Undersecretary Orlando Sacay	Member
Tourism Undersecretary Gregorio Araneta II.....	Member
Budget Deputy Commissioner Juan Agcaoili	Member
Mayor Ramon D. Bagatsing of Manila	Member
National Historical Commission Chairman Esteban de Ocampo.....	Member
Director of National Media Production Center Gregorio Cendaña.....	Member
National Parks Development Committee Vice-Chairman Teodoro Valencia.....	Member
Presidential Protocol Officer Cristobal Osoteo	Member-Secretary

The Committee shall meet at the call of the Chairman and, for the purpose of discharging its functions, may create such sub-committees as may be necessary.

The Committee is hereby authorized to call any departments, bureau, office, agency or instrumentality of the Government, including government-owned or controlled corporations, for such assistance as it may need in discharging its duties and functions.

Done in the City of Manila, this 3rd day of December, in the year of our Lord, nineteen hundred and seventy-four.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1974). *[Administrative Order Nos.: 349 - 438]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 364

**CREATING A STEERING COMMITTEE TO TAKE CHARGE OF PREPARATIONS AND
ARRANGEMENTS FOR THE HOLDING OF THE 1976 ANNUAL MEETINGS OF THE
IMF-IBRD BOARDS OF GOVERNORS IN MANILA FROM OCTOBER 4 TO 8, 1976**

WHEREAS, an invitation to hold the 1976 annual meeting of the IMF-IBRD Boards of Governors in Manila has been accepted and confirmed; and

WHEREAS, a Committee to take charge of the preparation and arrangements is necessary for the successful hosting of the meeting;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers in me vested by law, do hereby create a Steering Committee to take charge of preparations and arrangements for the holding of the 1976 Annual Meetings of the IMF-IBRD Boards of Governors in Manila from October 4 to 8, 1976, composed of the following:

- | | | |
|--|---|---------------|
| 1. The Secretary of Finance | – | Chairman |
| 2. The Governor of the Central Bank of the Philippines | – | Vice Chairman |
| 3. The Secretary of Foreign Affairs | – | Member |
| 4. The Secretary of Public Works and Communications | – | " |
| 5. The Secretary of National Defense | – | " |
| 6. The Executive Secretary | – | " |
| 7. The Secretary of Public Information | – | " |
| 8. The Secretary of Tourism | – | " |

The Committee shall provide directional guidance and render coordinating assistance to an organizational body to be created by the Central Bank of the Philippines for the purpose of servicing the requirements of the 1976 Annual Meetings.

The Committee shall call upon the heads of departments, bureaus, offices, and financial institutions for such assistance as it may need in the accomplishment of its mission.

DONE in the City of Manila, this 5th day of December, in the year of Our Lord, nineteen hundred and seventy-four.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **ALEJANDRO MELCHOR**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1974). *[Administrative Order Nos.: 349 - 438]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 365
CREATING AN EXECUTIVE COMMITTEE TO TAKE CHARGE OF THE PLANNING AND
EXECUTION OF COMMEMORATIVE ACTIVITIES FOR THE 33rd ANNIVERSARY OF THE
FALL OF BATAAN AND THE FALL OF CORREGIDOR.

WHEREAS, the Fall of Bataan and the Fall of Corregidor are historic milestones in our nationhood;

WHEREAS, it is deemed fitting and proper to commemorate these historic events with appropriate activities and/or ceremonies in order to impress our people as well as the rest of the world of the valor and sacrifices of those who fought and died during the epic struggle for freedom and democracy, and of the transcending significance of such struggle in our national objectives and aspirations:

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby constitute and create an Executive Committee to formulate plans and devise ways and means for the successful execution of appropriate activities and/or ceremonies for the commemoration of the 33rd anniversary of the Fall of Bataan and the Fall of Corregidor. The Committee shall be composed of the following:

The Chief of Staff	–	Chairman
Armed Forces of the Philippines		
The Administrator	–	Vice-Chairman
Philippine Veterans Affairs Office		
The Governor	–	Member
Province of Bataan		
The Governor	–	Member
Province of Cavite		
The Director	–	Member
Department of Tourism		
The Commanding General	–	Member
Philippine Army		
The Flag Officer-in-Command	–	Member
Philippine Navy		
The Officer-in-Charge	–	Member
Office for Civil Relations		
The President	–	Member
Veterans Federation of the Philippines		
The National Commander	–	Member
Defenders of Bataan & Corregidor		

The Chief Civil Engineer	–	Member
Infrastructure Programming and Execution Service Bureau of Public Works		
The Acting Coordinator	–	Member/Secretary
Military Memorials Div., PVAO		

The Committee is empowered to call upon any department, bureau, office, agency or instrumentality of the government for such assistance as it may need, and to create such committee, sub-committee or staffs as may be necessary.

Done in the City of Manila, this 11th day of March, in the year of Our Lord, nineteen hundred and seventy-five.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1975). *[Administrative Order Nos.: 349 - 438]*. Manila: Malacañang Records Office.

MALACAÑAN PALACE
MANILA

ADMINISTRATIVE ORDER NO. 366

CREATING A SPECIAL CABINET COMMITTEE TO TAKE CHARGE OF THE PLANNING OF APPROPRIATE ACTIVITIES TO COMMEMORATE THE 3RD ANNIVERSARY OF THE DECLARATION OF MARTIAL LAW THROUGHOUT THE PHILIPPINES.

WHEREAS, the declaration of martial law throughout the Philippines on September 21, 1972, is a significant event in our struggle to preserve the stability of our nation; and

WHEREAS, it is deemed fitting and proper to commemorate and give meaning to this historic event with appropriate activities/ceremonies in order to remind our people as well as impress upon the rest of the world of the overriding importance and urgency of the declaration of martial law not only for the survival of our country but also to enable it to pursue its national objectives and aspirations;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby constitute and create a Special Cabinet Committee to take charge of planning appropriate activities to commemorate the 3rd anniversary of the declaration of martial law throughout the Philippines. The Committee shall be composed of the following:

Hon. CARLOS P. ROMULO	-----	Chairman
Secretary of Foreign Affairs		
Hon. JUAN MANUEL	-----	Vice-Chairman
Secretary of Education and Culture		
Hon. JUAN PONCE ENRILE	-----	Member
Secretary of National Defense		
Hon. ALEJANDRO MELCHOR	-----	Member
Executive Secretary		
Hon. CONRADO ESTRELLA	-----	Member
Secretary of Agrarian Reform		
Hon. JOSE ROÑO	-----	Member
Secretary of Local Governments & Community Development		
Hon. JOSE D. ASPIRAS	-----	Member
Secretary of Tourism		
Hon. JOSE J. LEIDO, JR.	-----	Member
Secretary of Natural Resources		
Hon. DAVID CONSUNJI	-----	Member
Secretary of Public Works, Transportation & Communications		
Hon. BLAS OPLE	-----	Member
Secretary of Labor		
Hon. BALTAZAR AQUINO	-----	Member
Secretary of Public Highways		
Hon. FRANCISCO TATAD	-----	Member
Secretary of Public Information		

The Committee is empowered to call upon any department, bureau, office, agency or instrumentality of the government for such assistance as it may need, and to create such sub-committees as may be necessary for the accomplishment of its task.

Done in the City of Manila, this 21st day of August, in the year of Our Lord, nineteen hundred and seventy-five.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) ALEJANDRO MELCHOR

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1975). *[Administrative Order Nos.: 349 - 438]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 367
CREATING A SPECIAL COMMITTEE TO INVESTIGATE COMPLAINTS OF PRIVATE OWNERS
OF MINED OUT LANDS.

WHEREAS, it has come to my knowledge that private owners of mined out lands have been complaining of the failure of mining operators to restore or regenerate their lands to their original productive states;

WHEREAS, there is necessity to create a special committee to hear the complaints and grievances of these landowners and to adopt measures to protect their rights and interests;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. There is hereby created a special committee to investigate the complaints and grievances of private owners of mined out lands and to evaluate the efforts of mining companies in the restoration and regeneration of said lands into more productive states.

SEC. 2. The Committee shall be composed of the following:

Atty. Genaro A. Eslava	–	Chairman
Officer In Charge		
Legal Office		
Office of the President		
Engr. Regino Relova	–	Member
Chief Mining Engineer Bureau of Mines		
Atty. Romulo Radula	–	Member
Sr. Legal Officer		
Department of Natural Resources		
Atty. Enrique Belo	–	Member
Philippine Chamber of Mines		

SEC. 3. The Committee shall have all the powers and prerogatives of an investigating committee under Section 71 and 580 of the Revised Administrative Code, including the power to summon witnesses, administer oaths, or take testimony or evidence relevant to the investigation by subpoena or subpoena duces te cum.

SEC. 4. The Committee may ask any department, bureau, office, agency or instrumentality of the government for such assistance as it may need in the performance of its functions.

SEC. 5. The Committee shall submit a monthly report of its activities to the President.

Done in the City of Manila, this 22nd day of August, in the year of Our Lord, nineteen hundred and seventy-five.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1975). *[Administrative Order Nos.: 349 - 438]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 368

DECLARING ADMINISTRATIVE ORDER NO. 19 DATED AUGUST 3, 1962 NULL AND VOID AB INITIO INsofar AS ROBERT P. BROOKS IS CONCERNED, ALLOWING HIM TO RETURN UPON COMPLIANCE WITH REQUIREMENTS OF PHILIPPINE IMMIGRATION ACT OF 1940.

WHEREAS, a petition had been filed on behalf of Robert P. Brooks for the modification and/or amendment of Administrative Order No. 19 dated August 3, 1962;

WHEREAS, under Administrative Order No. 19, Robert P. Brooks and others were deported from the country and forever banned from entering the country “on the strength of and based exclusively upon various documents, papers, things and effects seized by the agents of the National Bureau of Investigation from the residence and other premises of Robert P. Brooks, et al by virtue of search warrants issued by the courts.”;

WHEREAS, March 20, 1962, an original action for certiorari, prohibition, mandamus and injunction was filed with the Supreme Court by Robert P. Brooks, et al docketed as G. R. No. L-19550, alleging that the search warrants issued against Robert P. Brooks, et al were null and void as contravening the Constitution and violative of the Rules of Court and consequently all documents, papers, things and effects seized by virtue of these warrants were inadmissible as evidence in any proceedings against Mr. Brooks;

WHEREAS, on June 19, 1967, the Supreme Court declared the warrants issued against Robert P. Brooks and others null and void and “as openly contravening the explicit command of our Bill of Rights,” thus rendering inadmissible all documents, papers, things and effects illegally seized by virtue of these warrants which are void;

WHEREAS, likewise, in an earlier case of Qua Chee Gan, et al vs. Deportation Board, G. R. No. L-10280, promulgated on September 30, 1963, the Supreme Court also explicitly declared that the Deportation Board was bereft of power and authority to issue warrants of arrest against aliens to be investigated or being investigated for possible deportation;

WHEREAS, in view of the Supreme Court’s decision on the Qua Chee Gan, et al and Stonehill, et al, cases, supra, the Deportation Board, acting upon a petition files before it in behalf of Robert P. Brooks, after due notice and hearing, rendered a report and recommendation dated December 16, 1968, decalring among others that:

“x x x evidence from which the findings of fact contained in the said order (referring to the Administrative Order No. 19) were gathered were either illegally seized, or not formally presented, or not presented or offered at all, hence the said findings of fact and conclusions of law purported to support the deportation of respondent Brooks are without basis x x x.”

and recommending the modification of Administrative Order No. 19 insofar as Robert P. Brooks in concerned.

WHEREAS, the Bureau of Internal Revenue has certified that neither Robert P. Brooks nor his wife Pacita Carrion has any tax liability with the said Bureau in favor of the Republic of the Philippines and the National Bureau of Investigation has likewise certified that Robert P. Brooks has no pending criminal or administrative case against him in any court or agency in the country;

WHEREAS, Robert P. Brooks is married to a Filipina and himself was born in the Philippine and has expressed his sincere desire to contribute his share in his own humble way to the task of helping insure economic growth and progress of the country which he has already initiated by developing better quality leaf tobacco through free distribution tobacco seedlings to tobacco farmers;

WHEREAS, in the light of all the foregoing and in the interest of justice and rule of law as consistently stressed under the New Society, it is imperative that justice be accorded to whomever it is lawfully due;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the authority vested in me by law hereby declared Administrative Order No. 19 dated August 3, 1962 null and void *ab initio* insofar as Brooks, who was born and grew up in this country and married to Pacita Carrion, a natural-born Filipino citizen, is authorized a he is hereby authorized to return to the Philippines upon compliance with the requirements of the Philippine Immigration Act of 1940, as amended.

DONE in the City of Manila, this 27th day of August, in the year of Our Lord, nineteen hundred and seventy-five.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:
(Sgd.) ROBERTO V. REYES
Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1975). *[Administrative Order Nos.: 349 - 438]*. Manila: Malacañang Records Office.

MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 369
EXONERATING ATTY. GUILLERMO ESPIRITU, BRANCH CLERK OF COURT, BRANCH X,
COURT OF FIRST INSTANCE OF RIZAL

This refers to an administrative case filed by Atty. Sabino Padilla Jr. against Atty. Guillermo Espiritu, Branch clerk of Court, Branch X, Court of First Instance of Rizal, for serious misconduct and dishonesty in the performance of duties.

The complainant, who was the counsel for the defendants in Civil Case No. 15178, entitled “G. S. Masangkay and Sons, Inc., plaintiff, versus Telosforo Masangkay and Cipriano Masangkay, defendants,” charged respondent with serious misconduct and dishonesty in the performance of duties, committed as follows:

1. Failure to keep proper custody of the records of Civil Case No. 15178 pending in his branch, by –
 - (a) Failing to attach to the expediente the transcript of stenographic notes of the proceedings in said case;
 - (b) Tampering or allowing the tampering of the records in the above-mentioned civil case resulting in the loss of a Writ of Preliminary Injunction previously issued.
2. Releasing copies of orders to one party ahead of another with the obvious intention of prejudicing the latter as shown hereunder:
 - (a) A copy of the order of December 15, 1971, was served on the plaintiff sometime before December 29, 1971, while service thereof was made on the other party by registered mail only on January 13, 1972; and
 - (b) It was made to appear that both parties were served simultaneously on March 15, 1972, with the order of March 13, 1972, when in truth and in fact the plaintiff already had a copy thereof two days earlier.

The case was formally investigated by Judicial Supervisor Pedro B. Arao of the Department of Justice.

Mrs. Violeta Ilar, the stenographer who took down the stenographic notes of the hearing on January 22, 1972, in Civil Case No. 15178, testified that it was the practice of stenographers, in Branch X to keep a separate file of all the originals of their transcripts until her attention was called to a circular of the Department of Justice requiring stenographers to attach their transcripts to the expediente. The failure of the stenographer to attach her transcripts with the records of this civil case cannot, therefore, be attributed to the respondent. Moreover, the records of Civil Case No. 15178 had been transmitted to the Department of Justice before the transcripts were made available by the stenographer.

As regards the charge of “tampering or allowing the tampering of the records resulting in the loss of the writ of preliminary injunction previously issued,” the records show that the court granted the prayer for the issuance of the writ of preliminary injunction on December 15, 1972, conditioned upon the filing of a bond in the amount of ₱10,000.

Respondent contended that the writ of preliminary injunction was actually issued only on January 17, 1972, and the same was served on the defendants on January 19, 1972, as per return of the deputy sheriff. It seems indeed that in view of the numerous incidents in this case, the writ could not have been issued earlier than January 17, 1972. An examination of the expediente of this case shows that the papers are consecutively numbered and not one page is missing.

There being no satisfactory proof that such a writ was issued prior to January 17, 1972, and that the same was made to disappear from the records by the respondent or that he caused its disappearance, this charge is believed without merit.

There is no doubt that the questioned order of December 15, 1972, was dictated by the Presiding Judge to stenographer Celestino Simon who prepared the same without coursing it through the respondent. Said order does not bear the initials of the respondent; it is only the initial of stenographer Simon that appears at every page thereof. As complainant himself averred, Simon is the brother-in-law of the Presiding Judge and so it could be presumed that he enjoyed the confidence of the Judge. It is not uncommon to find judges who directly deal with subordinate personnel of their confidence, sometimes to the exclusion of the Clerk of Court or Branch Clerk of Court. That Simon enjoyed the confidence of the presiding judge is apparent. Due to the many incidents in this civil case which was heard closely one after the other, wherein the records moved from the judge to the stenographer, then, to the clerk-in-charge of civil cases, then back to the judge for another incident, and considering further the intervening Christmas and New Year holidays, it was not strange that the mailing of the orders to counsel suffered some delay; and there being no evidence presented by the complainant that such delay was due to the negligence or inefficiency of the respondent or that the same was done deliberately to favor one party against the other, respondent, therefore, cannot be held liable.

The last charge against the respondent is that the order date March 13, 1972, was served earlier on counsel for the plaintiff than on the counsel for defendants. Atty. Manuel Singson, counsel for plaintiff in Civil Case No. 15178, testified for the respondent and declared that he moved for the cancellation of the notice of lis pendens and when the court issued the order cancelling said notice on March 13, 1972, he immediately requested herein respondent to serve the order on the Register of Deeds of Quezon City. He did not even bother to get his copy of this order. It was enough for him that the notice of lis pendens was ordered cancelled by the court. It is true that this order was served on the complainant only on March 15, 1972, but this practice of one lawyer obtaining a copy of an order ahead of the other is not uncommon. A movant for an affirmative relief has to be constantly on the watch for the resolution on his pleading by the court and usually follows up these petitions and/or motions with the Clerk of Court or other court personnel. If one lawyer receives the order ahead of the other, it is not irregular per se. Here, there is no evidence presented by the complainant showing that the respondent acted with malice or to the prejudice of the complainant. Hence, the respondent should likewise be absolved from this charge.

For failure of the complainant to substantiate his charges, the Investigator recommends that respondent be exonerated therefrom. The Undersecretary of Justice adopts the findings and recommendation of the Investigator.

Wherefore, and as recommended by the Undersecretary of Justice and the investigator, Guillermo Espiritu, Branch Clerk of Court, Branch X, Court of First Instance of Rizal, is hereby exonerated from the charges against him.

Done in the City of Manila, this 5th day of September, in the year of Our Lord nineteen hundred and seventy-five.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RONALDO B. ZAMORA
Assistant Executive Secretary

Source: **Malcañanag Records Office**

Office of the President of the Philippines. (1975). [*Administrative Order Nos.: 349 - 438*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 370
CREATING A COMMITTEE TO REVIEW THE CASES OF THE OFFICIALS AND EMPLOYEES
DISMISSED FROM THE SERVICE ON SEPTEMBER 19, 1975.

WHEREAS, it is in the interest of justice that a Committee be created to consider various petitions for reconsideration from those officials and employees who were separated from the service on September 19, 1975 and to conduct a review of all the cases of these officials and employees;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby create a Committee to take cognizance of petitions for reconsideration of the officials and employees dismissed on September 19, 1975, and to conduct a review of all the cases of these officials and employees;

SECTION 1. The Committee shall be composed of the following:

Honorable Catalino Macaraig	–	Chairman
Undersecretary of Justice		
Honorable Jose A. R. Melo	–	Member
Civil Service Commissioner		
Honorable Ronaldo B. Zamora	–	Member
Assistant Executive Secretary		

SECTION 2. The Committee shall review all cases of the dismissed officials and employees, evaluating the evidence available in support of their dismissal, or receiving additional evidence in support thereof as well as the evidences that an official or employee may wish to present in support of his innocence of or exoneration from the charges against him;

SECTION 3. In case no evidence in support of the dismissal has been submitted or are in the possession of the official who recommended the dismissal, the Committee shall require the official to produce the evidence, and if he cannot produce the evidence required, the Committee shall require him to explain his recommendation for the dismissal of official or employee.

SECTION 4. The Committee shall directly report to the President its findings and recommendations, either affirming the dismissal or modifying the earlier order of dismissal by reducing the penalty imposed and imposing the proper penalty prescribed by law, including exoneration, if such is the proper course, guided by the desire to do justice. It shall act expeditiously on these cases and in the performance of its task it may call upon any official or employee, office or agency of the government to assist it.

SECTION 5. It shall have jurisdiction over the cases of all the officials or employees included in the September 19, 1975 list, except those who are appointed by the President.

SECTION 6. In the consideration of the cases, it shall give priority to those that are brought to it in an appeal or petition for reconsideration or review. It is hereby ordered that all appeals which may

have been filed with the Office of the President, the department, bureaus and other agencies of the government be forwarded immediately to the Committee.

It may, in the exercise of its discretion, consider that failure of a dismissed employee or official to appeal or file a petition for reconsideration or review as an admission by the official or employee of his guilt.

DONE in the City of Manila, this 24th day of October, in the year of Our Lord, nineteen hundred and seventy-five.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **ALEJANDRO MELCHOR**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1975). [*Administrative Order Nos.: 349 - 438*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 371
CREATING A SPECIAL COMMITTEE TO TAKE COGNIZANCE OF PETITIONS FOR
RECONSIDERATION OF GRADUATES OF THE CAREER EXECUTIVE SERVICE
DEVELOPMENT PROGRAM, DEVELOPMENT ACADEMY OF THE PHILIPPINES.

WHEREAS, some graduates of the Career Executive Service Development Program, Development Academy of the Philippines, have been removed from the service during the recent drive to weed out undesirables and misfits in the government service;

WHEREAS, the government has spent considerable amount of public funds for the training of these officials in pursuance of the career service program of the government; and

WHEREAS, it is but proper to look into the reasons why these officials have been removed from the service after they have been trained for career executive positions in the National Government;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby create a special committee to take cognizance of petitions for reconsideration of graduates of the Career Executive Service Development Program whose resignations were accepted or otherwise removed from office as of September 19, 1975:

SECTION 1. The Committee shall be composed of the following:

Nicanor Fuentes	–	Chairman
NEDA Deputy Director-General		
Ramon Casanova	–	Member
Director of Lands		
Filemon Fernandez	–	Member
Civil Service Executive Director		

SEC. 2. The Committee shall review all cases of the above-mentioned officials and shall receive evidences on the cause or causes of their dismissal.

SEC. 3. All petitions for reconsideration shall be filed at the Offices of the Career Executive Service Board located at the RFC Building, Gamboa St., corner Salcedo St., Legaspi Village, Makati, Rizal, and all such petitions filed with the Committee created under Administrative Order No. 370 dated October 24, 1975, or with any office shall be forwarded to the Career Executive Service Board for resolution by the committee herein created.

SEC. 4. The Committee shall have the power to administer oath, take testimony and issue subpoena or subpoena duces tecum and may avail of the assistance of any department, bureau, office, or instrumentality of the government in the performance of its function.

SEC. 5. The Committee shall submit its findings and recommendation to the President of the Philippines as soon as possible.

SEC. 6. This Order shall take effect immediately.

Done in the City of Manila, this 13th day of November, in the year of Our Lord, nineteen hundred and seventy-five.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1975). *[Administrative Order Nos.: 349 - 438]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 372
IN RE ADMINISTRATIVE CASE AGAINST MR. FIDEL V. GIRON, FORMER FOREIGN AFFAIRS
OFFICER CLASS I AND CONSUL GENERAL.

This is an administrative case against Mr. Fidel V. Giron as Foreign Affairs Officer Class I and Consul General, filed by Mr. Lucilo A. Purugganan, chief of Personnel Division, Department of Foreign Affairs, for grave misconduct and malfeasance in office allegedly committed as follows:

“That during the months of February to April 1969, respondent Fidel V. Giron, while acting on the visa applications of Mary Siongco alias Leu Li and Sze Tan Gak alias Sze Tin Ngok, in his capacity as Chairman of the Committee established under Office Order No. 157-68 dated September 18, 1968, and a subsequent related Office Order No. 195-68 dated November 22, 1968, did ask, solicit, and receive from the attorney of the above-named applicants construction materials worth ₱3,500, more or less, which respondent used in the construction of his house at Dasmariñas Village, Makati, Rizal;

“That, subsequently, respondent Fidel Giron, as such Chairman, did favorably recommend to the Secretary of Foreign Affairs the approval of the applications of said applicants in his memorandum dated 26 March 1969.”

On April 17, 1969, respondent was preventively suspended from office by the Secretary of Foreign Affairs pending investigation and disposition of the administrative complaint by the Board of the Foreign Service.

The records show that on March 4, 1969, Atty. Sergio Angeles, in behalf of then Congressman Angel Concepcion who was the attorney of record for certain Chinese applicants for visa registration, saw a house plan on the table of respondent. Informed that respondent was building a house, Atty. Angeles narrated his experience in constructing his own house and offered to secure some building materials for respondent who told him that he was interested only in quotation for finishing materials. He asked Atty. Angeles the price quotation for narra which he would need 4 or 5 months later, or better still the name of the store, and Atty. Angeles gave him the quotation the following day (March 5). On the latter date Atty. Angeles was insistent on helping respondent secure other building materials like iron bars. So respondent called up his contractor who asked for a price quotation and agreed to get iron bars if they were of good quality and the price lower than that quoted by other stores. Atty. Angeles gave respondent the quotation on March 7. On March 18 and 21 the steel bars were delivered. Coincidentally, on the same date (March 26) when the plumbing materials were delivered, the screening committee of which respondent was chairman unanimously recommended the granting of visas to all applicants, which was subsequently approved by the Foreign Affairs Secretary.

Unknown to respondent, Atty. Angeles had previously informed the Secretary of his request and showed him the former's handwritten specifications. When respondent, therefore, requested the invoices

from Atty. Angeles at the time of the delivery of the plumbing materials, the latter did not accede thereto, as per instructions of the Secretary and the NBI Director. Also, at the behest of the NBI Director, Atty. Angeles paid the first order at the time of the delivery and the subsequent ones within 30 days.

After due hearing the Board found respondent guilty of impropriety amounting to misconduct for “entering into a business transaction with Angeles who was interested in a case pending before him” and recommended that he (a) be suspended from office for three (3) months without pay; (b) suffer a loss of seniority in his present class; and (c) be not assigned to a sensitive position for a period of two (2) years. Said findings and recommendation were concurred in by the then Acting Foreign Affairs Secretary in a decision dated June 27, 1970, and approved by the Secretary.

On August 21, 1970, respondent, assisted by counsel, filed his appeal to this Office, alleging that (a) the decision is irregular on its face; (b) his preventive suspension was null and void; (c) the decision is illegal and null and void for lack of jurisdiction or authority on the part of the officials who rendered and approved it; (d) the decision is contrary to law and the evidence adduced by the parties; and (e) the penalties imposed are excessive, arbitrary and grossly disproportionate to the offense allegedly proven.

Pusuant to the 1st indorsement of this Office dated August 28, 1970, requesting comment on respondent’s appeal and submittal of the complete records of the case, the Department of Foreign Affairs in its 2nd indorsement of November 17, 1970, stated that respondent was charged under Section 1(b), Part B, Title IV of Republic Act No. 708, as amended, which reads:

“The President, upon recommendation of the Secretary, may separate from the service any Foreign Affairs Officer on account of disloyalty to the Government, unsatisfactory performance of duty, misconduct, or malfeasance in office; but no such officer shall be separated from the service until he shall have been granted a hearing before the Board of the Foreign Service and his disloyalty to the Government, unsatisfactory performance of duty, misconduct, or malfeasance in office shall have been established at such hearing.”

It was also stated that during the pendency of the appeal respondent filed his certificate of candidacy as delegate to the Constitutional Convention, and consequently ceased in office.

After a careful review of the records, I concur with respondent’s counsel that the authority to preventively suspend and discipline respondent, being a presidential appointee, appertains to the President, based on existing laws, jurisprudence and precedents. The role of the Department on such matters is merely recommendatory, the power to remove being inherent in the power to appoint (*Ang-angco v. Castillo*, 9 SCRA 620; *Villaluz v. Zaldivar et. al.*, 15 SCRA 710). The power to remove is, in the absence of a statutory provision to the contrary, an incident of the power to appoint, and the power to suspend is incidental to the power to remove (*Burnap vs. United States*, 252 U.S. 512, and cases cited therein). In fact, by express provision of the Civil Service Law, the power to suspend preventively presidential appointees is vested in the President (Sec. 34, RA 2260).

The legal provision relied upon by the Department, quoted elsewhere, cannot be considered as impliedly vesting it with authority to discipline foreign affairs officers if the penalty imposed is not removal but mere suspension as in this case. Said provision simply lays down the substantive and procedural due process that must be observed before a foreign affairs officer may be separated from the service, which must also be followed in any administrative case against foreign affairs officers regardless of the penalty that may be imposed. Precedents also abound, where foreign affairs officials were transferred, suspended, reprimanded and even merely admonished by former Presidents upon recommendation of the Secretary of Foreign Affairs.

With regard to the charge of misconduct against respondent, it bears noting that at the time of the first delivery of the construction materials and even after the filing of the complaint on April 17, 1969, respondent had demanded from Atty. Angeles the corresponding invoices so that he could effect the necessary payment, but to no avail. It was only at the time of the hearing that Atty. Angeles produced the first and subsequent invoices. The fact remains, however, that respondent did pay for the construction materials by issuing a check in the amount of ₱2,142.87 which, although Atty. Angeles insisted was accepted by his clerk without his (Angeles) authority, the latter subsequently withdrew as exhibit in order that he could cash it.

There is doubt that respondent made a favorable recommendation on the visa application of the Chinese involved in return for the assistance given by Atty. Angeles. The delivery of the plumbing materials happened to coincide with the date when respondent's committee favorably indorsed the visa applications in question because it was only on said date (March 26) that the corresponding recommendation was finalized. At any rate, the other members of the screening committee whom Atty. Angeles never saw were convinced on the evidence that a favorable recommendation was in order.

Apparently, the Foreign Service Board considered as misconduct the fact that respondent availed himself of the services of Atty. Angeles as above stated. As early as September 1968, however, Atty. Angeles had ceased to be the counsel for Chan Lai et al. when he was appointed confidential assistant in the Senate. He even took pains to explain before the Board that he was merely requested by them Congressman Concepcion "to give details regarding the case" and to inform the Foreign Affairs Secretary of the progress thereof after verifying its status from respondent. No less than the Board itself recognized that the relationship between Atty. Angeles and the applicant was not that of attorney and client, nor could said relationship be likened to that of judge and party litigant or counsel. In this regard, jurisprudence is to the effect that "an interest exists in an action which creates or determines a liability or pecuniary loss or gain, depending on the result of a trial in court" (22 Words and Phrases, p. 120, citing *Persky v. Greener*, Tex Civ. App., 202 S.W. 2d 303, 306). "A person is interested in a suit when he has direct and substantial interest in outcome" (22 Words and Phrases, *supra*, citing *People vs. Walsh*, 174 N.E. 881, 882, 342 Ill. 445).

In short, respondent acted in his private, not official capacity when he entered into the aforesaid transaction and whatever benefits he derived therefrom, i.e., 10% discount, could not have influenced his decision to give due course to the visa application. Needless to say, had respondent not been prevented from effecting immediate payment on account of Atty. Angeles' refusal to deliver the invoices, the transaction would have been consummated and there would have been no occasion for filing the instant administrative complaint.

Be that as it may, respondent's act of accepting the proposal of Atty. Angeles, even assuming the transaction to be aboveboard, does not properly behoove a public official whose conduct should not only be actually beyond suspicion but appear to be so. For his actuation respondent deserves to be reprimanded. However, as he is no longer in the service, the imposition of the penalty would serve no useful purpose.

In view of the foregoing, Mr. Fidel V. Giron, former Foreign Affairs Officer Class I and Consul General, is hereby exonerated from the charges.

Done in the City of Manila, this 18th day of November, in the year of Our Lord, nineteen hundred and seventy-five.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ROBERTO V. REYES
Deputy Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1975). *[Administrative Order Nos.: 349 - 438]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 373
CREATING THE SPECIAL RIZAL DAY CELEBRATION COMMITTEE.

I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law and in order to ensure the successful celebration throughout the Philippines of this year's death anniversary of Dr. Jose P. Rizal on December 30, 1975, do hereby create a special committee to take charge of all arrangements for the activities composed of the following:

Education and Culture Undersecretary Narciso Albarracin	–	Chairman
Deputy Executive Secretary Roberto V. Reyes	–	Vice-Chairman
Supreme Court Associate Justice Claudio Teehankee		
(Supreme Commander, Knights of Rizal	–	Member
Supreme Court Associate Justice Cecilia Muñoz Palma		
President, Civic Assembly of Women of the Philippines	–	Member
Public Works & Communications Undersecretary Aber Canlas	–	Member
National Defense Undersecretary Jose Crisol	–	Member
Local Government & Community Development Undersecretary	–	Member
Salvador Socrates		
Tourism Undersecretary Gregorio Araneta II	–	Member
Budget Deputy Commissioner Juan Agcaoile	–	Member
Mayor Ramon D. Bagatsing of Manila	–	Member
National Historical Commission Chairman Esteban de Ocampo	–	Member
Director Gregorio Cendaña of National Media Production Center	–	Member
Director Larry Cruz, Bureau of National-Foreign Information	–	Member
National Parks Development Committee Vice Chairnan Teodoro	–	Member
Valencia		
Presidential Protocol Officer Cristobal Osoteo	–	Member-Secretary

The Committee shall meet at the call of the Chairman and, for the purpose of discharging its functions, may create such sub-committees as may be necessary.

The Committee is hereby authorized to call any department, bureau, office, agency or instrumentality of the Government, including government-owned or controlled corporations, for such assistance as it may need in discharging its duties and functions.

Done in the City of Manila, this 20th day of November, in the year of Our Lord, nineteen hundred and seventy-five.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1975). [*Administrative Order Nos.: 349 - 438*]. Manila: Malacañang Records Office.

MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 374

REINSTATING MESSRS. SERVILLANO E. ABAD AS POSTAL REGIONAL DIRECTOR, REGION I, RONALDO D. BRODIT, CHIEF SUPERVISING AUDITOR, COMMISSION ON AUDIT; JOSE C. LLAMES, ACTING ASSISTANT REGIONAL DIRECTOR, DEPARTMENT OF AGRARIAN REFORM REGIONAL OFFICE NO. VIII; AND JUAN A. MAGARRO, JR., REGIONAL DIRECTOR, REGION X, LAND TRANSPORTATION COMMISSION.

WHEREAS, pursuant to Administrative Order No. 371, dated November 13, 1975, a special Committee was constituted to take cognizance of and review the petitions for reconsideration of graduates of the Career Executive Service Development Program (CESDP) who were separated from their respective positions under LOI No. 309;

WHEREAS, the special Committee, after having convened and deliberated, has recommended the reinstatement of Messrs. Servillano E. Abad, Ronaldo D. Brodit, Jose C. Llames and Juan A. Magarro, Jr. to the respective positions from which they were separated effective as of the date of separation;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order and direct the immediate reinstatement of the following persons effective as of the date of their separation from office, to wit:

1. Servillano E. Abad, Postal Regional Director, Region I;
2. Ronaldo D. Brodit, Chief Supervising Auditor, Department "C", Commission on Audit;
3. Jose C. Llames, Acting Assistant, Regional Director, Department of Agrarian Reform Regional Office No. VIII;
4. Juan A. Magarro, Jr., Regional Director Region X, Land Transportation Commission.

All concerned are enjoined to act accordingly.

Done in the City of Manila, this 16th day of December, in the year of Our Lord, nineteen hundred and seventy-five.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) JACOBO CLAVE
Presidential Executive Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1975). *[Administrative Order Nos.: 349 - 438]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 375

**RECONSIDERING THE SEPARATION OF CERTAIN GRADUATES OF THE CAREER
EXECUTIVE SERVICE DEVELOPMENT PROGRAM AFFECTED UNDER LOI NO. 309.**

Upon the recommendation of the Special Committee created under Administrative Order No. 371 dated November 13, 1975, to take cognizance of petition for reconsideration of graduates of the Career Executive Service Development Program (CESDP), I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby reconsider the acceptance of the respective resignation, made on various dates, of certain graduate of the CESDP, and order all concerned to take action on this matter as indicated hereunder.

The following person shall be reinstated to their positions effective as of the date their respective resignation was accepted:

1. Wenceslao C. de Guzman as Assistant Regional Director, Region IX, Department of Public Highways;
2. Galicano de Guzman as Regional Director, Region IV, Land Transportation Commission;
3. Genaro T. Basilio as Regional Director, Region IV-A, Bureau of Posts;
4. Laureano N. Lapitan as Regional Director, Region II, Bureau of Posts;
5. Francisco T. Pili as Regional Director, Region V, Bureau of Fisheries and Aquatic Resources;
6. Fabian S. Santos as Regional Director, Region III, Bureau of Posts;
7. Cesar G. Ramirez, Jr. as Assistant Auditor, Philippine Aerospace Development Corporation;
8. Jose Trinos as Manager, National Government Audit Office "A". Commission on Audit; and
9. Artemio V. Tiangco, Regional Director, Region VII, Department of Public Highways.

In view of information that the retirement of Artemio V. Tiangco had been allowed before his resignation was accepted, it is hereby ordered that Mr. Tiangco's retirement from government service shall be given due course.

All concerned are enjoined to act accordingly.

This order shall take effect immediately.

Done in the City of Manila, this 25th day of December, in the year of our Lord, nineteen hundred and seventy-five.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) JACOBO C. CLAVE
Presidential Executive Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1975). *[Administrative Order Nos.: 349 - 438]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 376
ORDERING THE REMOVAL OF THE NAMES OF CERTAIN OFFICIALS AND EMPLOYEES
FROM THE LIST OF OFFICIALS AND EMPLOYEES DISMISSED FROM THE SERVICE ON
SEPTEMBER 19, 1975.

WHEREAS, on September 19, 1975, some 2,000 government officials and employees were ordered dismissed from the service;

WHEREAS, a considerable number of these officials and employees have been found and verified to have been out of the service prior to the date aforesated;

WHEREAS, justice and fairness dictate that the names of these persons be cleared and freed from the effects of the inclusion of their names in the September 19, 1975 list of dismissed officials.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order that the names of 133 officials and employees appearing in the attached list be stricken out from the list of officials and employees dismissed on September 19, 1975.

DONE in the City of Manila, this 26th day of December, in the year of Our Lord, nineteen hundred and seventy-five.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **JACOBO C. CLAVE**
Presidential Executive Assistant

Reference: List of officials and employees dismissed on September 19, 1975

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1975). *[Administrative Order Nos.: 349 - 438]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 377
REINSTATING CERTAIN OFFICIALS AND EMPLOYEES DISMISSED FROM THE SERVICE ON
SEPTEMBER 19, 1975, WITH APPROPRIATE PENALTY.

WHEREAS, on September 19, 1975, some 2,000 officials and employees in the government were ordered dismissed from the service;

WHEREAS, errors were committed in the assessment and evaluation of some of the cases of said officials and employees, resulting to their dismissal;

WHEREAS, to correct such errors, Administrative Order No. 370 dated October 24, 1975 was issued, creating a Committee to take cognizance of petitions for reconsideration of dismissed officials and employees and to conduct a review of all the cases of these officials and employees;

WHEREAS, upon a careful review of the cases of the dismissed officials and employees and an evaluation of the evidence in support of their dismissal, the Committee has recommended a number of officials and employees who deserve to be meted out penalties less than outright dismissal.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order the meting out of penalties less than outright dismissal and the immediate reinstatement of the 204 officials and employees whose names appear in the attached list to the positions they occupied, prior to their dismissal. Provided, however, that during the period from September 19, 1975 up to the date of their reinstatement in accordance with this Order, these officials and employees shall be considered under suspension.

DONE in the City of Manila, this 27th day of December, in the year of Our Lord, nineteen hundred and seventy-five.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:
(Sgd.) JACOBO C. CLAVE
Presidential Executive Assistant

Reference: Exoneration and immediate reinstatement

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1975). *[Administrative Order Nos.: 349 - 438]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 378
ORDERING THE REINSTATEMENT WITH PROPER PENALTY OF CERTAIN OFFICIALS AND
EMPLOYEES DISMISSED FROM THE SERVICE ON SEPTEMBER 19, 1975.

WHEREAS, on September 19, 1975, some 2,000 officials and employees in the government were ordered dismissed from the service;

WHEREAS, errors were committed in the assessment and evaluation of some of the cases of said officials and employees, resulting in their dismissal;

WHEREAS, to correct such errors, Administrative Order No. 370 dated October 24, 1975 was issued, creating a Committee to take cognizance of petitions for reconsideration of dismissed officials and employees and to conduct a review of all the cases of these officials and employees;

WHEREAS, upon a careful review of the cases of the dismissed officials and employees and an evaluation of the evidence in support of their dismissal, the Committee has recommended a number of officials and employees who deserve to be meted out penalties less than outright dismissal.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order the immediate reinstatement of the 89 officials and employees whose names appear in the attached list; Provided, however, that during the period from September 19, 1975 up to the date of their reinstatement in accordance with this Order, these officials and employees shall be considered under suspension.

DONE in the City of Manila, this 28th day of December, in the year of Our Lord, nineteen hundred and seventy-five.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **JACOBO C. CLAVE**
Presidential Executive Assistant

Reference: Reinstatement with penalty of suspension until date of reinstatement

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1975). [*Administrative Order Nos.: 349 - 438*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

ADMINISTRATIVE ORDER NO. 379
CREATING A COMMITTEE TO RATIONALIZE, DEVELOP AND MODERNIZE THE LAND
TRANSPORT AND TRAFFIC SYSTEMS IN METROPOLITAN MANILA.

There is hereby created a Committee to rationalize, develop and modernize the land transport and traffic systems in Metropolitan Manila. It shall be composed of the following:

Commissioner Romeo F. Edu	Chairman
Land Transportation Commissioner	
Col. Antonio Abaya	Co-Chairman
Commanding Officer	For Enforcement
Philippine Constabulary Highway Patrol Group	
Director Fernando Montes	Co-Chairman
Region IV	For Engineering
Dept. of Public Highways	
Director Gregorio Cendana	Co-Chairman
National Media Production Center	For Information
Prof. Federico B. Silao	Executive Secretary
Maj. Gen. Gerardo Tamayo	Member
I N P F	
Lt. Col. Renato Motus	Member
Central Commander, CHPG	
Norberto Ongkingco	Member
Utilities Engineering Coordination Council	
Lt. Col. Armando San Miguel	Member
Traffic Supervisor, South Sector	
Maj. Leoncio Leones	Member
Traffic Supervisor, North Section	
Maj. Antonio Paralejas	Member
Traffic Supervisor, West Sector	
Traffic Supervisor, East Sector	
Atty. Leon C. Candelario	Member
Law Enforcement Coordinator	
Land Transportation Commission	
Engr. Nicolas Aldana	Member
District Engineer	
Province of Rizal	
Engr. Alexis Versoza	Member
Transport Sector	
PPDO, DPWTC	

Engr. Romulo del Rosario City Engineer, Manila	Member
Engr. Salvador Villacorta District Engineer Manila South	Member
Engr. Jose Bernabe District Engineer Manila North	Member
Engr. Jose Uson City Engineer Caloocan City	Member
Engr. Jesus Reyna City Engineer Pasay City	Member
Engr. Pantaleon Tabora City Engineer Quezon City	Member
Engr. Jose Pendoza District Engineer Quezon City	Member

The Committee shall have the following functions:

1. Coordinate and supervise all activities of agencies, public and private, in promoting and facilitating the movement of people, goods and services on the highway network;
2. Conduct implementation studies leading or contributing to the establishment of an efficient transit system for Metropolitan Manila;
3. Promote traffic safety and institute road courtesy and discipline; and
4. Perform such other tasks and duties concerning traffic and transport as may be directed by higher authorities.

The Committee shall submit from time to time progress reports on the implementation of this project to the Governor of the Metropolitan Manila Commission furnishing this Office with copies thereof.

All heads of departments, bureaus, offices and instrumentalities of the government, including government-owned or controlled corporations in the Metropolitan Manila area, are hereby enjoined to direct the personnel under them to assist and support the Committee in the successful implementation of its programs.

Done in the City of Manila, this 29th day of December, in the year of Our Lord, nineteen hundred and seventy-five.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) JUAN C. TUVERA
Presidential Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1975). *[Administrative Order Nos.: 349 - 438]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 380
EXONERATING MR. ANASTACIO G. AZCARRAGA, CLERK OF COURT OF FIRST INSTANCE
OF LEYTE AND EX OFFICIO PROVINCIAL SHERIFF, SINCE RETIRED.

This refers to the administrative case against Mr. Anastacio G. Azcarraga, Clerk of Court of the Court of First Instance of Leyte and Ex Officio Provincial Sheriff, since retired, and Inocentes de la Peña, Deputy Provincial Sheriff, for gross ignorance of the law. The charge was formally investigated by District Judge Meneleo C. Melecór of the Court of First Instance of Leyte who found respondent Azcarraga not guilty thereof and recommended that he be exonerated, in which the Secretary of Justice concurs.

The charge arose in connection with the levy and sale at public auction of five parcels of land belonging to complainant Evangelista de Guia, judgment debtor in Civil Case No. 410 of the Court of First Instance of Leyte, Branch VI. On May 28, 1969, complainant filed a sworn complaint against respondents charging them with gross ignorance of the law under the following specifications: (1) that although the public auction sale of the five (5) parcels of land of complainant took place on November 6, 1967, to satisfy a judgment debt in Civil Case No. 410, entitled “Bonifacio Bustillo vs. Evangelista de Guia,” as conducted by respondent Deputy Sheriff Inocentes de la Peña, both respondents “manipulated” the records to make it appear that the registration of the sheriff’s sale was made on December 2, 1967, instead of January 9, 1968; (2) that due to such “manipulation” the respondents refused to take action on his protest and notice of redemption which he filed with them on December 13, 1968, thereby allowing the period of redemption to lapse; (3) that in the service of the corresponding writ of possession, De la Peña at first placed the successful bidder of one of the auctioned parcels in accordance with the agreement of complainant, but later and without court authority transferred said bidder to another lot; and (4) that De la Peña conducted the sale of the property in Barugo, Leyte, instead of the municipal treasurer’s office in Carigara, same province, as advertised in the published and posted notices.

Respondent De la Peña not being a Presidential appointee, the discussion will be confined to respondent Azcarraga as regards specifications 1 and 2.

After hearing duly conducted, the District Judge-Investigator found respondent innocent of the charge and recommended his exoneration. Anent the first specification of “manipulation”, the same was found to have been irresponsibly made, as there is absolutely no evidence that respondent had misrepresented that the registration of the certificate of sale was made on December 2, 1967. Nowhere in all the documents presented by both sides in the case does this particular date appear.

As to the second specification concerning respondent’s alleged inaction on complainant’s notice to redeem property sold on execution and letter of protest filed on December 13, 1968, he had no redemption money with him, although the documents he delivered to respondent stated that “the undersigned petitioner (complainant) asks that the redemption price of ₱8,300.16 be accepted by your office.” In other words, at the same time that complainant asked that he be allowed to redeem, he did not have the necessary funds therefor. He was merely content to wait for respondent to answer his

letter of protest on the supposition that “a letter must need an answer”, without actively pursuing his right to redeem by producing the redemption money.

When the last day for him to redeem came on January 8, 1969, he was able to bring along ₱5,000 only, which was just enough to redeem one of the five parcels sold. In other words, complainant was aware, despite respondent’s inaction on his protest, that he could exercise his right to redeem up to that day, as in fact he was allowed to exercise it when the amount he brought enabled him to redeem one parcel of land for ₱4,416 under a deed of redemption executed by buyer Clotilde Bustillo on January 14, 1969. If complainant could not therefore redeem the other four parcels it was not because he was deprived of the opportunity to do so but because of his failure to take advantage thereof for lack of funds.

Wherefore, and as recommended by the District Judge-Investigator and the Secretary of Justice, Mr. Anastacio G. Azcarraga, former Clerk of Court of the Court of First Instance of Leyte and Ex Officio Provincial Sheriff, is hereby exonerated from the charge.

Done in the City of Manila, this 21st day of January, in the year of Our Lord, nineteen hundred and seventy-six.

(SGD.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(SGD.) **J. C. TUVERA**
Presidential Assistant

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1976). *[Administrative Orders Nos.: 349 - 438]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 381

CREATING AN EXECUTIVE COMMITTEE TO TAKE CHARGE OF THE PLANNING AND EXECUTION OF COMMEMORATIVE ACTIVITIES FOR THE 34TH ANNIVERSARY OF THE FALL OF BATAAN AND THE FALL OF CORREGIDOR.

WHEREAS, the Fall of Bataan and the Fall of Corregidor are historic milestones in our nationhood;

WHEREAS, it is deemed fitting and proper to commemorate these historic events with appropriate activities and/or ceremonies in order to impress our people as well as the rest of the world of the valor and sacrifices of those who fought and died during the epic struggle for freedom and democracy, and of the transcending significance of such struggle in our national development and aspirations;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby constitute and create an Executive Committee to formulate plans and devise ways and means for the successful execution of appropriate activities and/or ceremonies for the commemoration of the 34th anniversary of the Fall of Bataan and the Fall of Corregidor. The Committee shall be composed of the following:

The Undersecretary for Civil Relations Department of National Defense	–	Chairman
The Chief of Staff Armed Forces of the Philippines	–	Co-Chairman
The Administrator Philippine Veterans Affairs Office	–	Vice-Chairman
The Governor Province of Bataan	–	Member
The Governor Province of Cavite	–	Member
The Commanding General Philippine Army	–	Member
The Flag-Officer-in-Command Philippine Navy	–	Member
The Director Bureau of Special Services, DOT	–	Member
The Director Bureau of Public Works	–	Member
The Secretary-General Veterans Federation of the Philippines	–	Member
The Chief Office for Civil Relations, AFP	–	Member

The National Commander	–	Member
Defenders of Bataan and Corregidor		
The Acting Coordinator	–	Member/Secretary
Military Memorials Division, PVAO		

The Committee is empowered to call upon any department, bureau, office, agency or instrumentality of the government for such assistance as it may need, and to create such committee, sub-committee or staffs as may be necessary.

DONE in the City of Manila, this 16th day of February, in the year of our Lord, nineteen hundred and seventy-six.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **JACOBO C. CLAVE**
Presidential Executive Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1976). *[Administrative Order Nos.: 349 - 438]*. Manila: Malacañang Records Office.

MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 382
CREATING AN INTER-AGENCY COMMITTEE FOR THE FORTHCOMING 13TH FAO
REGIONAL CONFERENCE FOR ASIA AND THE FAR EAST.

WHEREAS, the food problem is most acute in Asia;

WHEREAS, the Philippines should take the lead in solving the food problem in Asia;

WHEREAS, the Philippines has accepted to host the 13th FAO Regional Conference for Asia and the Far East to be held in Manila on August 2-13, 1976 which will discuss ways of alleviating hunger;

WHEREAS, having been given the signal honor of hosting the 13th FAO Regional Conference for Asia and the Far East it is necessary that we ensure its success;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby constitute and create an Inter-Agency Committee to supervise and coordinate the necessary preparations and arrangements for the forthcoming 13th FAO Regional Conference in Manila and undertake liaison work with the FAO Secretariat in Rome, and such Committee to be composed of the following:

Asst. Sec. Luis R. Baltazar	Chairman
Department of Agriculture	
Consul-General Armando Fernandez	1st Vice-Chairman
Department of Foreign Affairs	
Dept. Exec. Director Edgardo Quisumbing	2nd Vice-Chairman
National Food & Agriculture Council	
Mr. Zosimo Topacio	Member
Central Bank	
Mr. Ernesto Singson	Member
Department of Tourism	
Asst. Sec. Marcelino de Guzman	Member
Department of National Defense	
Atty. Ricardo Ampil	Member
Bureau of Customs	
Atty. Tirso Santillan	Member
Commission on Immigration & Deportation	
Atty. Magdaleno B. Cortez	Member
Department of Agriculture	
Consul Jose A. Syjuco	Member
Department of Foreign Affairs	
Mr. Amante Bigornia	Member
Department of Public Information	

The Committee is empowered to call any department, bureau, office, agency or instrumentality of the government for such assistance as it may need for the accomplishment of its task.

Done in the City of Manila, this 26th day of February, in the year of Our Lord, Nineteen Hundred and Seventy-Six.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) JUAN C. TUVERA

Presidential Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1976). *[Administrative Order Nos.: 349 - 438]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 383
CREATING A COORDINATING GROUP FOR THE EFFICIENT IMPLEMENTATION OF THE
NUCLEAR POWER PROJECT.

WHEREAS, the Philippine Government is undertaking a nuclear power project, the biggest single infrastructure project thus far, with the National Power Corporation as the implementing agency;

WHEREAS, the project is of such complexity that will involve actions and decisions of a large number of other government agencies ranging from revisions of existing treaties to release of imported equipment and supplies; and

WHEREAS, a delay in the implementation of the project will cost an estimated ₱2.5 million per day;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby create a Coordinating Group to assist the National Power Corporation in securing timely actions and decisions of the government agencies concerned to avoid delays, through proper anticipation of, and appropriate planning for, said actions and decisions.

This Coordinating Group shall be composed of senior officials, who can take the needed actions and trigger the required decisions, from the following government agencies:

Office of the President - - - - -	Over-all Chairman
National Power Corporation - - - - -	Over-all Vice-Chairman
Finance Sub-group:	
Department of Finance - - - - -	Chairman
Budget Commission - - - - -	Member
Central Bank - - - - -	Member
Philippine National Bank - - - - -	Member
Bureau of Customs - - - - -	Member
Government Service Insurance System - - - - -	Member
National Power Corporation - - - - -	Member
Development Management Staff - - - - -	Member
Legal Sub-group:	
Department of Justice - - - - -	Member
Department of Foreign Affairs - - - - -	Member
Office of the Solicitor General - - - - -	Member
National Power Corporation - - - - -	Member
Development Management Staff - - - - -	Member
Bureau of Immigration - - - - -	Member
Technological Sub-group:	
Department of Public Works - - - - -	Member
Department of Public Highways - - - - -	Member

Philippine Atomic Energy Commission ----- Member
National Power Corporation ----- Member
Development Management Staff ----- Member

Heads of the above agencies are hereby requested to designate their representatives and alternate representatives, and instruct them to attend the organizational meeting at the Development Management Staff, Executive Office Building, San Miguel Annex, Malacañang, Manila, at 9:30 a.m. of March 9, 1976.

All departments, bureaus, offices, agencies, and instrumentalities of the government are hereby enjoined to cooperate with and assist the Coordinating Group in the performance of its assigned tasks, to ensure the successful discharge of the Group's functions.

Done in the City of Manila, this 4th day of March, in the year of Our Lord, nineteen hundred and seventy-six.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **JACOBO C. CLAVE**
Presidential Executive Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1976). *[Administrative Order Nos.: 349 - 438]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 384
CREATING AN INTER-AGENCY COORDINATING COMMITTEE FOR RURAL
INFRASTRUCTURE PROJECTS.

WHEREAS, rural development is essential in achieving social, economic and political stability for our country;

WHEREAS, there is a continuing need to improve the standard of living of the low income families in the rural areas through equitable distribution of income and wealth;

WHEREAS, the International Bank for Reconstruction and Development (World Bank) has indicated its willingness to provide technical and financial assistance to rural development projects in the country; and

WHEREAS, there is a need for a body that shall coordinate all rural development efforts to achieve maximum results;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby create a Coordinating Committee for Rural Infrastructure Projects which shall take charge of the identification and formulation of specific projects for submission to the International Bank for Reconstruction and Development early next year. The membership of the Coordinating Committee shall be as follows:

Mr. Ely Batangatang	-----	Chairman
National Economic and Development Authority		
Romulo Coloma	-----	Vice-Chairman
National Irrigation Administration		
Jesse Evidente	-----	Member
National Economic and Development Authority		
Rolando Roque	-----	Member
Farm System Development Corporation		
Exequiel Gumayan	-----	Member
Department of Public Highways		
Rogelio Panlilio	-----	Member
Bureau of Public Works (Flood Control and Drainage)		
Lamberto Abrecia	-----	Member
Bureau of Public Works (Water Supply)		
Nestor Castillo	-----	Member
Bureau of Public Works (Ports)		
Isaac Capistrano	-----	Member
Department of Health (Schistosomiasis)		
Delfin Gonzales	-----	Member
Department of Health (Rural Health)		

Hegino Orticio ----- Member
Department of Agriculture

The Committee is hereby given the responsibility of determining projects that would be submitted to the bank for technical and financial assistance.

The Committee is empowered to organize technical study teams to be composed of representatives from the various agencies herein enumerated and may call on any office or agency of the government to accomplish its tasks.

The Coordinating Committee and the technical study teams shall accomplish this task following the requirements set forth by the International Bank for Reconstruction and Development in effecting loan approval, unless extended or sooner terminated by the National Economic and Development Authority.

The Deputy Director General for Programs and Projects of the National Economic and Development Authority is hereby authorized to change the composition of the Coordinating Committee when the exigencies of the service demands.

The Committee as well as the members of the Technical Study Teams are hereby authorized to get reimbursement of actual expenses incurred in connection with the performance of their duties under this project, not to exceed ₱300 per month upon the discretion of the Deputy Director General for Programs and Projects, National Economic and Development Authority.

Done in the City of Manila, this 1st day of April, in the year of Our Lord, nineteen hundred and seventy-six.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:
(Sgd.) JUAN C. TUVERA
Presidential Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1976). *[Administrative Order Nos.: 349 - 438]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 385
RECONSTITUTING THE EXECUTIVE COMMITTEE CREATED TO TAKE CHARGE OF THE
PREPARATION AND ARRANGEMENTS FOR THE HOLDING OF THE FOURTH WORLD
CONGRESS ON MEDICAL LAW IN MANILA ON JULY 16-19, 1976.

By virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby reconstitute the Executive Committee created to take charge of the preparations and arrangements for the holding of the Fourth World Congress on Medical Law, as follows:

Hon. Catalino Macaraig, Jr. Undersecretary of Justice	–	Chairman
Hon. Juan S. Agcaoili Deputy Budget Commissioner	–	Vice-Chairman
Director Jolly Bugarin National Bureau of Investigation	–	Member
Director Lorenzo Cruz Bureau of National and Foreign Information	–	Member
Brig. Gen. Propsero Olivas METROCOM Commander	–	Member
Minister Serafin Garcia Department of Foreign Affairs	–	Member
Collector Ricardo Ampil Bureau of Customs, MIA	–	Member
Director Ireneo Aguirre, Jr. Bureau of Special Services, Department of Tourism	–	Member
Mr. Luis Tabuena General Manager, Manila International Airport	–	Member
Mrs. Lourdes Villacorta Social Secretary, Office of the President	–	Member
Dr. Fortunato Jayme Bureau of Quarantine	–	Member
President Lucrecia Kasilag Cultural Center of the Philippines	–	Member
Atty. Fernando de Guzman Commission on Immigration and Deportation	–	Member
Atty. Manuel Castro Land Transportation Communication	–	Member
Engr. Eliseo Reyes Dept. of Public Works, Transportation and Communications	–	Member

Dr. Pedro P. Solis	–	Member
National Bureau of Investigation		
Dr. Samuel M. Tanchoco	–	Member
President, Philippine Medical Association		
Atty. Liliano B. Neri	–	Member
President, Integrated Bar of the Philippines		

The Committee may call upon the heads of departments, bureaus and offices for such assistance as it may need in the performance of its task.

This Order supersedes Memorandum Circular No. 847 dated June 19, 1975.

Done in the City of Manila, this 14th day of June, in the year of Our Lord, nineteen hundred and seventy-six.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **JACOBO C. CLAVE**
Presidential Executive Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1976). *[Administrative Order Nos.: 349 - 438]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 386
POOLING ALL GOVERNMENT-OWNED CIVIL AIRCRAFT AND PROVIDING OPERATIONAL
AND FINANCIAL CONTROL PROCEDURES THEREFOR.

WHEREAS, a number of government agencies, instrumentalities and government-owned or -controlled corporations own several aircraft;

WHEREAS, it is a desirable policy to promote the sharing of use of these aircraft among the owners themselves, as well as with other government entities that do not own aircraft;

WHEREAS, such sharing will lead to savings on outlays for additional aircraft, and reduce effective operating costs and maintenance and overhaul expenses; and

WHEREAS, such sharing can best be promoted by a centrally-operated aircraft pooling system;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, pursuant to the powers vested in me by law, do hereby establish a system of pooling for government civil aircraft, to be constituted, organized, and operated as follows:

1. Aircraft Pool

- a. All aircraft owned by government civilian agencies, instrumentalities, or government-owned or -controlled corporations, authorities, or financial institutions shall constitute the government aircraft pool. Any aircraft acquired by a government civilian agency, instrumentality or government-owned or -controlled corporation or financial institution in the future shall likewise become part of the pool effective on the date of acquisition. For this purpose “acquisition” or “ownership” shall include leases of aircraft for a period of six (6) months or longer.
- b. Military aircraft are specifically excluded from the aircraft pool. Existing rules shall continue to govern their use.
- c. Civil government entities that do not own aircraft are required to avail of aircraft from the pool whenever chartered aircraft are needed for official use. The use of private commercial aircraft shall be resorted to only when no appropriate aircraft is available from the government pool.
- d. No acquisition of new aircraft by any government agency shall be considered if the pool can adequately provide the transport service required. If purchase of a new aircraft is justified and approved, priority shall be given to acquisition from the aircraft inventory of the Philippine Aerospace Development Corporation (PADC). Only when PADC cannot provide the unit required shall importation from abroad be authorized. For this purpose, all requests for acquisition of aircraft by civil government agencies shall be coursed through PADC before being presented to the appropriate authority for approval.

2. Concept of Pooling

There shall be pooling in the sense of providing, through a centralized scheduling and financial clearing house system, the service of the aircraft and flight crew whenever they are not used by the owner itself. Physical pooling and central ownership of all aircraft is not required.

3. Responsibility for Operations

- a. The pooling system shall be established and operated by the PADC. The PADC is hereby authorized to collect fees from the operations of the service, sufficient to defray the expenses of operating the pooling system.
- b. The Bureau of Telecommunications, the Civil Aeronautics Administration, and the Philippine Air Force shall assist the PADC in operating the pooling system, particularly in establishing the communications requirement of the system. The Philippine Atmospheric Geophysical Astronomical Service Administration shall provide the system with timely weather information.

4. Operational and Financial Control Procedures

The PADC, in consultation with aircraft owning agencies, the Commission on Audit, and the Budget Commission, is hereby authorized to establish such operational and financial control procedures as are necessary to operate the pooling system, within the following terms of reference:

- a. Utilization of aircraft shall strictly be for official use only.
- b. Priority of Use – Under normal circumstances, the owner-agency shall have priority of use over its own aircraft. The owner-agency, however, shall endeavor to make available its aircraft and flight crew to other agencies in the maximum amount of time possible, in the spirit of the pooling objectives enumerated above. In case of emergency, the President of the Philippines or his designated representative shall have the authority to assign priority of use for any aircraft.
- c. Aircraft Availability – All government-owned civil aircraft and their flight crews shall be made available by aircraft owners to other agencies whenever these are not being used by the owners themselves. The operational system shall provide for a reporting procedure to establish such availability, at least on a daily basis.
- d. Reimbursement of Costs – User agencies shall reimburse the owner-agencies for operating expenses incurred in their flights, and such other indirect expenses as may be reasonable to reimburse. The formula for establishing this reimbursement rate shall be determined by PADC in consultation with the owners of the aircraft. PADC shall establish and operate a clearing system for the collection of cost reimbursements.

The set of procedures attached hereto as “Annex A” and made an integral part hereof shall serve as the initial operational and financial control procedures for the system. Revisions of and/or additions to these control procedures may be made and promulgated by PADC from time to time in consultation with the members of the pool and with the appropriate government agencies, subject to the foregoing terms of reference.

5. Records and Reports

PADC shall maintain a record of utilization of each aircraft by the pool, and such other records as may be necessary to maintain the system and assess its effectivity. Reports shall be rendered to this Office, the first one to be submitted ninety (90) days from the date of effectivity of this Order, and periodically every three (3) months thereafter.

6. Repealing Clause

Any administrative order, rule, and regulation inconsistent with this Order is hereby modified accordingly.

7. Effectivity

This Order shall take effect thirty (30) days from its issuance.

Done in the City of Manila, this 10th day of July, in the year of Our Lord, nineteen hundred and seventy-six.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) JUAN C. TUVERA
Presidential Assistant

Reference: Annex A

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1976). *[Administrative Order Nos.: 349 - 438]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 387
EXONERATING CITY TREASURER FLORENTINO A. CORBO OF MANDAUE CITY.

This refers to the administrative case filed by residents of Tuburan, Cebu, against Florentino A. Corbo, City Treasurer of Mandaue City, for alleged immorality.

The case stemmed from a letter-complaint filed with the Bureau of Public Schools by residents of the municipality of Tuburan, Cebu, against Areopagita Armas, a public school teacher at the Tuburan Central School, Tuburan District I, for allegedly “committing adulterous relation openly with a family man Florentino Corbo, presently Acting City Treasurer of Mandaue City, Cebu.” The Department of Finance, which was furnished a copy of the complaint, advised respondent thereof. Respondent vehemently denied the charge which was investigated by an investigating committee created for the purpose.

The investigating body set the hearing of the case on January 17 to 21, 1972. On January 17, 1972, respondent, with his counsel, appeared and manifested his readiness to proceed with the hearing, but none of the numerous complainants nor their counsel of record appeared notwithstanding due notices to them. Respondent moved for dismissal of the case against him for lack of interest on the part of the complainants and their counsel as shown by their absence, but the committee denied the motion to dismiss and reset the hearing to January 19, 1972, in order to allow sufficient time for the service of notices. Written notices, in telegraphic form, were sent to several complainants and their counsel as well as to Miss Armas. On January 19, 1972, when the hearing was resumed, not one of the complainants nor their counsel appeared, but Miss Armas was present. The respondent, through his counsel, instead of asking for the dismissal of the case for lack of interest on the part of complainants, chose to present evidence in his behalf with a view to clearing his name and reputation both as a private citizen and as a public official from any cloud of suspicion.

The respondent presented as his first witness, Atty. Filemon Mendoza, who testified as follows: that during the very long period of his association with the respondent, he knew him to be of good moral character and standing in Tuburan when the latter was then its municipal treasurer up to his transfer to Mandaue City; that when he was Chief of Police of Tuburan, there was never any instance that the respondent was brought to his office on a criminal charge; that, likewise, he knew Miss Armas to be of good moral character and standing in the community; that the charge that respondent is living in concubinage with her is not only false but also ridiculous because his wife and Miss Armas are co-teachers in the Tuburan Central Elementary School, with adjoining classrooms, and his wife never saw any immoral behavior of Miss Armas.

The second witness for the respondent, Miss Armas herself, declared the following: that she vehemently denied the accusation of immorality against her; that it could not have been possible for her to maintain illicit amorous relations with the respondent, as she and the wife of the respondent know each other very well and are good friends; that the allegation in the administrative complaint against her that she asked for sick leave (presumably on account of an alleged pregnancy) is a deliberate

falsehood, as the documents she submitted to the committee would show that she actually applied for a study leave; and that her application was approved.

The third witness for the respondent, Mrs. Emeteria T. Monteban, the wife of the incumbent Chief of Police of Tuburan, declared the following: that she was corroborating the testimony of Atty. Filemon Mendoza that respondent and Miss Armas are both persons of good moral character and standing in Tuburan; that she never saw the respondent go to the house of Miss Armas; and that she could not miss noticing the presence of the respondent if he visited Miss Armas because she and Miss Armas are close neighbors.

The respondent, testifying in his own behalf, denied the charge of immorality against him and stated that the charge that he and Miss Armas had been maintaining illicit amorous relations was utterly false; that this charge against him was fabricated by the counsel for the complainants, Atty. Marcial Edillon, with the intention of extorting money from him; that the same Atty. Edillon had fabricated charges against other public officials and private persons, like the Municipal Judge, the Chief of Police and some councilors of Tuburan, and against the Chief and the Administrative Officer of the Emergency Hospital of Tuburan; that all these charges were dismissed or the respondents acquitted; and that as a result of this pernicious practice of Atty. Edillon in filing fabricated cases against public officials, Judge Pio Fernandes of the Court of First Instance of Cebu, in filing disbarment proceedings against him, stated in his complaint before the Supreme Court the following:

“Atty. Marcial Edillon x x x in his practice of law in Cebu for the last two or three years x x x had filed more than 14 cases against Judges, Fiscals, lawyers and private parties. He is one of those few mortals who finds psychotic satisfaction in filing complaints and charges against Judges, Fiscals, lawyers and high officials of the Government even though such charges were baseless and groundless. x x x”.

There being no evidence to support the charge and the respondent having established his innocence beyond doubt, as found and recommended by the investigating committee, City Treasurer Florentino A. Corbo is hereby exonerated therefrom.

Done in the City of Manila, this 12th day of July, in the year of Our Lord, nineteen hundred and seventy-six.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) JUAN C. TUVERA
Presidential Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1976). [*Administrative Order Nos.: 349 - 438*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 388
REVOKING ADMINISTRATIVE ORDER NO. 355 DATED AUGUST 28, 1973 CREATING
A COMMITTEE TO REINVESTIGATE THE CHARGES AGAINST
BENIGNO S. AQUINO, JR., ET AL.

WHEREAS, Administrative Order No. 355 created a Committee composed of five (5) members, viz, a retired Justice of the Supreme Court to be designated by the Chief Justice, as Chairman, and four (4) members to be designated respectively by the accused himself, the President of the Integrated Bar of the Philippines, the Secretary of Justice, and the Secretary of National Defense to conduct a re-investigation of the six (6) charges filed by the Chief, Prosecution Staff, Judge Advocate General's Office, Armed Forces of the Philippines with Military Commission No. 2 entitled:

1. People of the Philippines vs. Benigno S. Aquino, Jr. Crim. Case No. MC-2-19 for illegal possession of firearms, ammuniton, explosives and accessories.
2. People of the Philippines vs. Benigno S. Aquino, Jr. and Benjamin Bie, Jr., alias Comdr Melody Crim. Case No. MC-2-20 for violation of RA 1700.
3. People of the Philippines vs. Benigno S. Aquino, Jr. and Benjamin Sanguyo, alias Comdr Pusa Crim. Case No. MC-2-21 for violation of RA 1700.
4. People of the Philippines vs. Benigno S. Aquino, Jr., Bernabe Buscayno, alias Comdr Dante, Peter Doe, alias Peter Ilocano, Joseph Doe, alias Puriok Crim. Case No. MC-2-22 for murder.
5. People of the Philippines vs. Benigno S. Aquino, Jr. and Bernabe Buscayno, alias Comdr Dante Crim. Case No. MC-2-23 for violation of RA 1700.
6. People of the Philippines vs. Benigno S. Aquino, Jr., Benjamin Sanguyo, alias Comdr Pusa and PC Lt. Victor Corpuz Crim. Case No. MC-2-24 for violation of RA 1700.

WHEREAS, Administrative Order No. 355 was issued because despite the fact that the above charges were filed after due and proper investigation by the Prosecution Staff of The Judge Advocate General's Office, the accused Benigno S. Aquino, Jr. had repeatedly complained that he had been denied his constitutional right to due process and questioned the regularity and fairness of the application to him of the procedures which had been applied to all accused persons similarly situated;

WHEREAS, Administrative Order No. 355 was issued to reassure the accused that he continues to enjoy his constitutional rights and to remove any doubt that only after prima facie findings were made that criminal charges were filed against him, but the accused Benigno S. Aquino, Jr. refused to designate his representative to the Committee and to submit himself to its jurisdiction and instead assailed the validity of Administrative Order No. 355;

WHEREAS, in G. R. No. L-37364, "Benigno S. Aquino, Jr., petitioner, versus Military Commission No. 2, et al., respondents", May 9, 1975, the Supreme Court subsequently upheld the validity of Administrative Order No. 355;

WHEREAS, by the aforesaid acts of the accused Benigno S. Aquino, Jr. the Committee has become *functus officio*;

NOW, THEREFORE, in view of the foregoing, Administrative Order No. 355 dated August 28, 1973 is hereby REVOKED.

Done in the City of Manila, this 29th day of July, in the year of Our Lord nineteen hundred and seventy six.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) JACOBO C. CLAVE

Presidential Executive Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1976). [*Administrative Order Nos.: 349 - 438*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 389
CREATING AN INTER-AGENCY COMMITTEE TO STUDY THE PROPOSED ESTABLISHMENT
OF A NUCLEAR FUEL CYCLE CENTER IN THE PHILIPPINES

WHEREAS, the advent of the nuclear age has brought about the establishment of nuclear plants in many regions of the world to supplement the ever increasing energy requirement of many countries; and

WHEREAS, there has been a proposal to establish a nuclear fuel cycle center in this country to service nuclear power plant installations of countries within our region;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby create an Inter-Agency Committee to study the proposed establishment of a nuclear fuel cycle center to service nuclear power plant installations of countries within our regions, composed of the following:

Commissioner Librado D. Ibe Atomic Energy Commission or his representative	Chairman
The Chairman, National Science Development Board or his representative	Member
The Commissioner of the Budget or his representative	Member
The Secretary of Industry or his representative	Member
The Director-General, National Economic and Development Authority or his representative.....	Member

The Committee shall study the various political, technical and economic problems affecting the establishment of a nuclear fuel cycle center, as well as the selection of tentative sites and other considerations or concessions that the host country may require.

The Committee may ask any department, bureau, office, agency or instrumentality of the government for such assistance as it may need in the performance of its functions.

The Committee shall submit its report and recommendations within sixty days from the issuance of this Order.

Done in the City of Manila, this 1st day of September, in the year of Our Lord, nineteen hundred and seventy-six.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **JACOBO C. CLAVE**
Presidential Executive Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1976). *[Administrative Order Nos.: 349 - 438]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 390

ORDERING THE REINSTATEMENT WITH PROPER PENALTY OF THIRTEEN (13) OFFICIALS AND EMPLOYEES OF THE DEPARTMENT OF AGRARIAN REFORM DISMISSED FROM THE SERVICE ON SEPTEMBER 19, 1975.

WHEREAS, on September 19, 1975, some 2,000 officials and employees in the government were ordered separated from the service;

WHEREAS, errors were committed in the assessment and evaluation of some of the cases of said officials and employees;

WHEREAS, to correct such errors, Administrative Order No. 370 dated October 24, 1975 was issued, creating a Committee to take cognizance of petitions for reconsiderations of dismissed officials and employees and to conduct a review of all the cases of these officials and employees;

WHEREAS, upon a careful review of the cases of the dismissed officials and employees and an evaluation of the evidence in support of their dismissal, the Committee found that a number of officials and employees in the Department of Agrarian Reform deserve to be meted out penalties less than outright dismissal.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines by virtue of the powers vested in me by the Constitution, do hereby order the immediate reinstatement of the following thirteen (13) officials and employees of the Department of Agrarian Reform provided, however, that during the period from September 19, 1975 up to the date of their reinstatement in accordance with this Order, these officials and employees shall be considered under suspension without pay:

- | | | |
|-----------------------------|---|------------------------------|
| 1. Abrasaldo, Demetria | — | Employee |
| 2. Aguilar, Fernando | — | Farm Management Technologist |
| 3. Ardemil, Faculito A. | — | Senior Technician |
| 4. Balbarez, Gracia A. | — | Trial Attorney |
| 5. Beltran, Nerissa D. | — | Budget Examiner II |
| 6. Delluza, Antonio | — | Agrarian Reform Technologist |
| 7. Dugan, Abelardo S. | — | Farm Management Technologist |
| 8. Gamis, Celestina | — | Technologist |
| 9. Gamo, Rodolfo J. | — | Team Leader |
| 10. Lidua, Nelson F. | — | Trial Attorney II |
| 11. Orante, Silvino | — | Team Leader |
| 12. Panes, Wilfredo J. | — | Agricultural Ext. Supervisor |
| 13. Pomida, Buenaventura E. | — | Settler Affairs Officer |

Done in the City of Manila, this 24th day of September, in the year of Our Lord, nineteen hundred and seventy-six.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) JACOBO C. CLAVE
Presidential Executive Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1976). [*Administrative Order Nos.: 349 - 438*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 391

ORDERING THE REINSTATEMENT WITH PROPER PENALTY OF TWENTY (20) OFFICIALS AND EMPLOYEES OF THE DEPARTMENT OF JUSTICE DISMISSED FROM THE SERVICE ON SEPTEMBER 19, 1975.

WHEREAS, on September 19, 1975, some 2,000 officials and employees in the government were ordered separated from the service;

WHEREAS, errors were committed in the assessment and evaluation of some of the cases of said officials and employees;

WHEREAS, to correct such errors, Administrative Order No. 370 dated October 24, 1975 was issued, creating a Committee to take cognizance of petitions for reconsiderations of dismissed officials and employees and to conduct a review of all the cases of these officials and employees;

WHEREAS, upon a careful review of the cases of the dismissed officials and employees and an evaluation of the evidence in support of their dismissal, the Committee found that a number of officials and employees in the Department of Justice deserve to be meted out penalties less than outright dismissal.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order the immediate reinstatement of the following twenty (20) officials and employees of the Department of Justice provided, however, that during the period from September 19, 1975 up to the date of their reinstatement in accordance with this Order, these officials and employees shall be considered under suspension without pay:

A. Land Registration Commission

- | | | |
|----------------------------|---|--|
| 1. Atienza, Godofredo | – | Chief, Accounting Section, Central Office |
| 2. Cruz, Aurea H. | – | Clerk I, Central Office |
| 3. Delgado, Maximiano | – | Sr. Document Verifier, Central Office |
| 4. Diolazo, Estelita R. | – | Cash Clerk Registrar, Register of Deeds, Rizal |
| 5. Golla, Rolando | – | Senior Clerk, Register of Deeds, Rizal |
| 6. Hangar, Virginia B. | – | Bindery Helper, Central Office |
| 7. Marasigan, Florante Sr. | – | Cash Clerk, Central Office |
| 8. Mariano, Placido | – | Vaultkeeper |
| 9. Obtinario, Lita D. | – | Clerk I, Cagayan |
| 10. Po, Salvador | – | Vaultkeeper, Central Office |
| 11. Prado, Dulce G. | – | Bindery Helper, Central Office |
| 12. Ravarra, Eulogio | – | Legal Aide II, Central Office |
| 13. Resurreccion, Romeo M. | – | Deputy Registrar of Deeds, Laguna |
| 14. Saldua, Rafaela L. | – | Bindery Helper, Central Office |

15. Suarez, Narciso	–	Clerk I, Central Office
16. Valencia, Consuelo	–	Senior Clerk, Central Office
17. Valencia, Ramon G.	–	Clerk II, Pasay City
18. Victoria, Victoria T.	–	Bindery Helper, Central Office
19. Villanueva, Caesar	–	Laborer, Central Office
20. Villarosa, Pacifico	–	Legal Aide II, Central Office

Done in the City of Manila, this 24th day of September, in the year of Our Lord, nineteen hundred and seventy-six.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) JACOBO C. CLAVE

Presidential Executive Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1976). [*Administrative Order Nos.: 349 - 438*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 392

ORDERING THE REINSTATEMENT WITH PROPER PENALTY OF TWENTY-THREE (23) OFFICIALS AND EMPLOYEES OF THE DEPARTMENT OF EDUCATION AND CULTURE (INCLUDING STATE UNIVERSITIES) DISMISSED FROM THE SERVICE ON SEPTEMBER 19, 1975.

WHEREAS, on September 19, 1975, some 2,000 officials and employees in the government were ordered separated from the service;

WHEREAS, errors were committed in the assessment and evaluation of some of the cases of said officials and employees;

WHEREAS, to correct such errors, Administrative Order No. 370 dated October 24, 1975 was issued, creating a Committee to take cognizance of petitions for reconsiderations of dismissed officials and employees and to conduct a review of all the cases of these officials and employees;

WHEREAS, upon a careful review of the cases of the dismissed officials and employees and an evaluation of the evidence in support of their dismissal, the Committee found that a number of officials and employees in the Department of Education and Culture (including State Universities) deserve to be meted out penalties less than outright dismissal.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order the immediate reinstatement of the following twenty-three (23) officials and employees of the Department of Education and Culture (including State Universities) provided, however, that during the period from September 19, 1975, up to the date of their reinstatement in accordance with this Order, these officials and employees shall be considered under suspension without pay:

- | | | |
|-------------------------|---|--|
| 1. Alcarion, Ponciano | – | Teacher, Tagum, Davao del Norte |
| 2. Aranas, Paciencia | – | Principal, Davao del Sur |
| 3. Baesa, Ricardo | – | Cashier, Bulacan SAT |
| 4. Caya, Purcell A. | – | District Supervisor, Lanao del Sur |
| 5. Cruz, Manuel Sino | – | Supply Officer, Pampanga SAT |
| 6. Dideles, Lorenzo H. | – | Principal, Ilan, Cotabato |
| 7. Enriquez, Mariano J. | – | Registrar, Central Luzon Polytechnic College (CLPC), Cabanatuan City |
| 8. Gomop-as, Bernabe | – | Teacher, Banay Banay |
| 9. Jadap, Tietre W. | – | School Teacher, Misamis Occidental |
| 10. Lopez, Estrella | – | Teacher, Iloilo |
| 11. Mundo, Jose B. del | – | Dean of Instructions, CLPC |
| 12. Odulio, Pacita B. | – | Asst. Professor, CLPC |
| 13. Poliquit, Borromeo | – | Teacher, Davao City |
| 14. Rodriguez, Ruperto | – | Administrative Officer CLPC |

15. Sace, Clemente	–	Institution Worker, U.P. Systems
16. Santiago, Lorenzo	–	Janitor, Bulacan SAT
17. Santos, Leonila A.	–	Bookkeeper, CLPC
18. Saturnino, Felix A.	–	Gen. Educ. Supervisor II, Region II
19. Socorro, Sebastian	–	Principal
20. Tadiaman, Federico	–	Supervisor, Mech. Trades Dept. CLPC
21. Teodoro, Longina	–	Asst. Instructor, Isabela State College of Agriculture
22. Torres, Jose	–	Secretary Guard, Bulacan SAT
23. Vilorio, Ricardo	–	Dist. Supervisor, Nueva Ecija

Done in the City of Manila, this 24th day of September, in the year of Our Lord, nineteen hundred and seventy-six.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) JACOBO C. CLAVE
Presidential Executive Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1976). *[Administrative Order Nos.: 349 - 438]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 393

ORDERING THE REINSTATEMENT WITH PROPER PENALTY OF TWO (2) OFFICIALS AND
EMPLOYEES OF THE DEPARTMENT OF HEALTH DISMISSED FROM THE SERVICE ON
SEPTEMBER 19, 1975.

WHEREAS, on September 19, 1975, some 2,000 officials and employees in the government were ordered separated from the service;

WHEREAS, errors were committed in the assessment and evaluation of some of the cases of said officials and employees;

WHEREAS, to correct such errors, Administrative Order No. 370 dated October 24, 1975 was issued, creating a Committee to take cognizance of petitions for reconsiderations of dismissed officials and employees and to conduct a review of all the cases of these officials and employees;

WHEREAS, upon a careful review of the cases of the dismissed officials and employees and an evaluation of the evidence in support of their dismissal, the Committee found that a number of officials and employees in the Department of Health deserve to be meted out penalties less than outright dismissal.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order the immediate reinstatement of the following personnel of the Department of Health, provided, however, that during the period from September 19, 1975, up to the date of their reinstatement in accordance with this Order, they shall be considered under suspension without pay:

- | | | |
|------------------------|---|-------------------------------|
| 1. Bonjoc, Leonardo C. | – | Regional Health Officer, Cebu |
| 2. Torres, Domingo | – | Driver |

Done in the City of Manila, this 24th day of September, in the year of Our Lord, nineteen hundred and seventy-six.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) JACOBO C. CLAVE

Presidential Executive Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1976). *[Administrative Order Nos.: 349 - 438]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 394

ORDERING THE REINSTATEMENT WITH PROPER PENALTY OF THIRTEEN (13) OFFICIALS AND EMPLOYEES OF THE DEPARTMENT OF PUBLIC HIGHWAYS DISMISSED FROM THE SERVICE ON SEPTEMBER 19, 1975.

WHEREAS, on September 19, 1975, some 2,000 officials and employees in the government were ordered separated from the service;

WHEREAS, errors were committed in the assessment and evaluation of some of the cases of said officials and employees;

WHEREAS, to correct such errors, Administrative Order No. 370 dated October 24, 1975 was issued, creating a Committee to take cognizance of petitions for reconsiderations of dismissed officials and employees and to conduct a review of all the cases of these officials and employees;

WHEREAS, upon a careful review of the cases of the dismissed officials and employees and an evaluation of the evidence in support of their dismissal, the Committee found that a number of officials and employees in the Department of Public Highways deserve to be meted out penalties less than outright dismissal.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order the immediate reinstatement of the following thirteen (13) officials and employees of the Department of Public Highways provided, however, that during the period from September 19, 1975, up to the date of their reinstatement in accordance with this Order, these officials and employees shall be considered under suspension without pay:

- | | | |
|--------------------------|---|--|
| 1. Bano, Eduardo | – | Associate Civil Engineer, Cebu City |
| 2. Carino, Bonifacio E. | – | Equipment Engineer II, Region III |
| 3. Galeno, Honesto | – | Equipment Engineer II, Region XI |
| 4. Jose, Nicanor de | – | Supervising Civil Engineer, Roxas City |
| 5. Limbaga, Jesus | – | Driver, HDEO, Zamboanga del Norte |
| 6. Manahan, Amado | – | In-Charge, Regional Equipment Service, Region XI |
| 7. Mendoza, Inigo | – | Supervising Equipment Engineer |
| 8. Patindol, Blas | – | Bridge Foreman, Davao Province |
| 9. Rtoni, Fernando | – | Civil Engineer, Romblon |
| 10. Salvilla, Ernesto S. | – | Supervising Civil Engineer, Tagum, Davao del Norte |
| 11. Vasquez, Jaime | – | Clerk I |
| 12. Velasquez, Joventino | – | Equipment Engineer II, Region |
| 13. Ylagan, Rolando | – | Chief, Equipment Control and Maintenance |

Done in the City of Manila, this 24th day of September, in the year of Our Lord, nineteen hundred and seventy-six.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) JACOBO C. CLAVE
Presidential Executive Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1976). *[Administrative Order Nos.: 349 - 438]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 395

ORDERING THE REINSTATEMENT WITH PROPER PENALTY OF ONE (1) OFFICIAL OF THE
DEPARTMENT OF LOCAL GOVERNMENT AND COMMUNITY DEVELOPMENT DISMISSED
FROM THE SERVICE ON SEPTEMBER 19, 1975.

WHEREAS, on September 19, 1975, some 2,000 officials and employees in the government were ordered separated from the service;

WHEREAS, errors were committed in the assessment and evaluation of some of the cases of said officials and employees;

WHEREAS, to correct such errors, Administrative Order No. 370 dated October 24, 1975 was issued, creating a Committee to take cognizance of petitions for reconsiderations of dismissed officials and employees and to conduct a review of all the cases of these officials and employees;

WHEREAS, upon a careful review of the cases of the dismissed officials and employees and an evaluation of the evidence in support of their dismissal, the Committee found that one official in the Department of Local Government and Community Development deserve to be meted out penalties less than outright dismissal.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order the immediate reinstatement of EXALTACION B. NAZARENO, Economic Researcher of the Department of Local Government and Community Development, provided, however, that during the period from September 19, 1975, up to the date of her reinstatement in accordance with this Order, she shall be considered under suspension without pay.

Done in the City of Manila, this 24th day of Sept., in the year of Our Lord, nineteen hundred and seventy-six.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) JACOBO C. CLAVE

Presidential Executive Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1976). *[Administrative Order Nos.: 349 - 438]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 396

ORDERING THE REINSTATEMENT WITH ENTITLEMENT TO SALARY DURING
THE PERIOD THEY WERE OUT OF THE SERVICE OF FOUR (4) EMPLOYEES OF THE
DEPARTMENT OF AGRARIAN REFORM WHO WERE DISMISSED FROM THE SERVICE ON
SEPTEMBER 19, 1975.

WHEREAS, Messrs. Recolito G. Ortego, Santos P. Vargas, Romeo M. Neyepes and Abelardo S. Dugan, all of the Department of Agrarian Reform, were among some 2,000 officials and employees ordered separated from the service on September 19, 1975;

WHEREAS, the separation from the service of the above-named employees was based on an administrative case filed against them by landowner Angel Garcia of Allen, Northern Samar, which case was ordered dismissed by the Secretary of Agrarian Reform on December 3, 1975 for lack of merit;

WHEREAS, on December 4, 1975, the Secretary of Agrarian Reform informed the Appeals Committee of the dismissal of the case against the said employees and strongly recommended their reinstatement effective October 1, 1975;

WHEREAS, in the light of the foregoing circumstances and in fairness to Messrs. Ortego, Vargas, Neyepes and Dugan, it is proper that they be reinstated in the service;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order the immediate reinstatement of the following personnel of the Department of Agrarian Reform with entitlement to salary during the period they were out of the service:

- | | | |
|-----------------------|---|-------------------------------------|
| 1. Recolito G. Ortego | – | Regional Security Officer, Region 8 |
| 2. Santos P. Vargas | – | – do – |
| 3. Romeo M. Neyepes | – | – do – |
| 4. Abelardo S. Dugan | – | – do – |

Done in the City of Manila, this 3rd day of November, in the year of Our Lord, nineteen hundred and seventy-six.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **JUAN C. TUVERA**
Presidential Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1976). *[Administrative Order Nos.: 349 - 438]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 397
CREATING THE SPECIAL RIZAL DAY CELEBRATION COMMITTEE

I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law and in order to ensure the successful celebration throughout the Philippines of this year's death anniversary of Dr. Jose P. Rizal on December 30, 1976, do hereby create a special committee to take charge of all arrangements for the activities composed of the following:

Education & Culture Undersecretary Narciso Albarracin	–	Chairman
Presidential Assistant on Legal Affairs Ronaldo B. Zamora	–	Vice-Chairman
Supreme Court Associate Justice Claudio Teehankee (Supreme Commander, Knights of Rizal)	–	Member
Supreme Court Associate Justice Cecilia Muñoz Palma (President, Civic Assembly of Women of the Philippines)	–	Member
Public Works & Communications Undersecretary Aber Canlas	–	Member
National Defense Undersecretary Jose Crisol	–	Member
Local Governments & Community Development Undersecretary Salvador Socrates	–	Member
Tourism Undersecretary Gregorio Araneta II	–	Member
Budget Deputy Commissioner Juan Agcaoili	–	Member
Mayor Ramon D. Bagatsing, Manila	–	Member
National Historical Commission Chairman Esteban de Ocampo	–	Member
Director Gregorio Cendaña of National Media Production Center	–	Member
Director Larry Cruz, Bureau of National-Foreign Information	–	Member
National Parks Development Committee Vice-Chairman Teodoro F. Valencia	–	Member
Presidential Protocol Officer Cristobal Osoteo	–	Member-Secretary

The Committee shall meet at the call of the Chairman and, for the purpose of discharging its functions, may create such sub-committees as may be necessary.

The Committee is hereby authorized to call any department, bureaus, office, agency or instrumentality of the Government, including government-owned or controlled corporations, for such assistance as it may need in discharging its duties and functions.

Done in the City of Manila, this 30th day of November, in the year of Our Lord, nineteen hundred and seventy-six.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) JUAN C. TUVERA
Presidential Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1976). [*Administrative Order Nos.: 349 - 438*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

ADMINISTRATIVE ORDER NO. 398
REINSTATING DR. JESUS ESTEVES AS REGIONAL DIRECTOR, REGION II,
DEPARTMENT OF HEALTH.

Upon the recommendation of the Special Committee created under Administrative Order No. 371, series of 1975, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby reinstate Dr. JESUS ESTEVES, to the position of Regional Director, Region II, Department of Health, effective as of October 21, 1975.

Done in the City of Manila, this 27th day of January, in the year of Our Lord, nineteen hundred and seventy-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) JACOBO C. CLAVE
Presidential Executive Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1977). *[Administrative Order Nos.: 349 - 438]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

ADMINISTRATIVE ORDER NO. 399
CONSTITUTING THE KABATAANG BARANGAY DEVELOPMENT COORDINATING
COUNCIL AND FOR OTHER PURPOSES

WHEREAS, at the Second Kabataang Barangay National Convention held at Camp September 21st Movement in Mt. Makiling, Los Baños, Laguna, a Resolution was adopted formulating plans land projects of the Kabataang Barangay, among which, is the proposal to have the various activities relating to the promotion, development and enhancement of the welfare of the youth coordinated by a body duly constituted for the purpose;

WHEREAS, this need stemmed from the fact that at present these various activities are to a large degree being undertaken separately by the various offices and agencies of the Government and that these activities can be more effectively and efficiently done if properly coordinated;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, in order to effect a more coordinated action as regards youth development and activities, do hereby constitute the Kabataang Barangay Development Coordinating Council composed of the following:

Secretary of Local Government and Community Development	–	Chairman
Secretary of Youth and Sports Development or his representative	–	Member
Secretary of Education and Culture or his representative	–	Member
Secretary of National Defense or his representative	–	Member
Secretary of Social Services and Development or her representative	–	Member
Secretary of Labor or his representative	–	Member
Commissioner of the Budget or his representative	–	Member

The Kabataang Barangay Development Coordinating Council shall coordinate all activities of the various departments, bureaus, offices, agencies and instrumentalities of the Government pertaining to the youth and matters within the concern or sphere of the Kabataang Barangay; monitor data and information relating to these activities; and call upon or enlist the assistance of any office or agency of the Government, including government-owned or controlled corporations, in carrying out its functions, duties and responsibilities.

The existing Kabataang Barangay National Secretariat under the Department of Local Government and Community Development is hereby made the Secretariat of the Council, which shall provide the necessary staff support and services to the Council in carrying out its powers, functions and objectives under this Order.

The same Secretariat shall, at the same time, remain as an office in the Department of Local Government and Community Development to assist, support and provide services as may be required by the Kabataang Barangay in the performance of its functions and duties and in implementing its plans, programs and projects.

The Department of Local Government and Community Development shall provide the necessary funds for the operation and maintenance of the Secretariat from the already existing appropriations of

that Department for barangay activities. The Budget Commission shall facilitate the release of funds needed by the Secretariat and the Council in carrying out its functions, duties and responsibilities under this Order.

The Council, through its Chairman, shall promulgate such rules and regulations as may be deemed necessary to effectively implement the provisions of this Order.

This Order shall take effect immediately.

Done in the City of Manila, this 28th day of February, in the Year of Our Lord, Nineteen Hundred and Seventy Seven.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) JACOBO C. CLAVE

Presidential Executive Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1977). *[Administrative Order Nos.: 349 - 438]*. Manila: Malacañang Records Office.

MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 400

**CREATING AN EXECUTIVE COMMITTEE TO TAKE CHARGE OF THE PLANNING AND
EXECUTION OF COMMEMORATIVE ACTIVITIES FOR THE 35TH ANNIVERSARY OF THE
FALL OF BATAAN AND THE FALL OF CORREGIDOR.**

WHEREAS, the Fall of Bataan and the Fall of Corregidor are historic milestones in our nationhood;

WHEREAS, it is deemed fitting and proper to commemorate these historic events with appropriate activities and/or ceremonies in order to impress our people as well as the rest of the world of the valor and sacrifices of those who fought and died during the epic struggle for freedom and democracy, and of the transcending significance of such struggle in our national development and aspirations;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby constitute and create an Executive Committee to formulate plans and devise ways and means for the successful execution of appropriate activities and/or ceremonies for the commemoration of the 35th anniversary of the Fall of Bataan and the Fall of Corregidor. The Committee shall be composed of the following:

The Undersecretary for Civilian Relations Department of National Defense	–	Chairman
The Undersecretary for Tourism Department of Tourism	–	Co-Chairman
The Chief of Staff Armed Forces of the Philippines	–	Vice-Chairman
The President, Philippine Veterans Bank	–	Member
The Administrator of Veterans Affairs, PVAO	–	Member
The Executive Vice-President, VFP	–	Member
The Assistance Secretary, DLGCD	–	Member
The Deputy Commissioner of the Budget	–	Member
The Chairman, National Historical Institute	–	Member
The Special Assistant on Veterans Affairs, DND	–	Member
The Director General of Protocol, DFA	–	Member
The Director, National Media Production Center	–	Member
The Director of Public Works, DPWC	–	Member
The Director, Bureau of Special Services, DOT	–	Member
The National Commander Defenders of Bataan and Corregidor	–	Member
The Chief, Office for Civil Relation, AFP	–	Member

The Acting Coordinator
Military Division, PVAO

– Member/Secretary

The Committee is empowered to call upon any department, bureau, office, agency, or instrumentality of the government for such assistance as it may need, and to create such committee, sub-committee or staffs as may be necessary.

Done in the City of Manila, this 1st day of March, in the year of Our Lord, nineteen hundred and seventy-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) JUAN C. TUVERA
Presidential Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1977). *[Administrative Order Nos.: 349 - 438]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

ADMINISTRATIVE ORDER NO. 401

CREATING AN INTER-AGENCY COMMITTEE TO ASSIST IN THE PLANNING AND TO UNDERTAKE THE IMPLEMENTATION OF A RESETTLEMENT PROGRAM IN CONNECTION WITH THE CONSTRUCTION OF THE WATER SUPPLY DAM FOR THE METROPOLITAN CEBU WATER DISTRICT.

WHEREAS, the design of a modern water system for Metropolitan Cebu is currently being undertaken for the Metropolitan Cebu Water District (MCWD) with the assistance of the National Government and with executive responsibilities assigned to the Local Water Utilities Administration (LWUA).

WHEREAS, to secure the foreseeable water demand of Metropolitan Cebu, the construction of a dam, and the necessary reforestation of the catchment area for the prevention of siltation in the reservoir, will require the consequent resettlement of residents of the catchment area.

WHEREAS, in order to guarantee the smooth implementation by LWUA of the MCWD Project, a government inter-agency participation is necessary.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby constitute and create an Inter-Agency Committee to assist LWUA in formulating plans and devising ways and means to implement a successful resettlement program for the affected residents of the catchment area of the Metropolitan Cebu Water District project.

The Committee shall be composed of the following:

The Regional Executive Director as representative from the National Economic and Development Authority	Chairman
The Regional Director as representative from the Department of Agrarian Reform	Vice-Chairman
The Regional Director (Lands) as representative from the Department of Natural Resources	Vice-Chairman
The Regional Director as representative from the Department of Local Government and Community Development	Member
The Regional Director as representative from the Department of Public Works, Transportation and Communication	Member
The General Manager of the Metropolitan Cebu Water District	Member
The National Housing Authority	Member

The Committee is empowered to call upon any department, bureau, office, agency or instrumentality of the government for such assistance as it may need. The Regional Offices of the different agencies composing this committee which are located in Metropolitan Cebu shall participate in all manner possible in this undertaking.

The Committee is hereby empowered to create the following:

1. A policy formulating body which shall:

- a) Set general operating guidelines;
- b) Propose for approval of the Committee a budget for the operational and maintenance expenses of the Committee and its personnel.

2. A resettlement technical planning staff which shall:

- a) Collect basic socio-economic data of the population affected by the project together with an immediate census of inhabitant in the Balamban catchment area;
- b) Conduct a survey that would identify a relocation area for residents which shall be displaced from the catchment area;
- c) Draw up plans for the relocation areas as far as the infrastructural facilities are concerned;
- d) Plan and conduct information programs that would deal with the various problems and their solutions relating to the livelihood of the affected residents, as well as encourage the participation of schools and universities;
- e) Draw up measures that would prevent land speculation within the catchment and resettlement area;
- f) Make recommendation for the acquisition of land and transfer of public lands in the catchment area to the MCWD;
- g) Determine possible socio-economic problems that may arise during and after the completion of the project and propose possible solutions thereto;
- h) Develop a plan for the actual relocation, to include selection of settlers and transportation to the resettlement areas; and
- i) Develop plans for the establishment of farming cooperatives in the new relocation areas;
- j) Prepare cash flow plans for initial and long-term fund requirements necessary for the full implementation of the relocation program;
- k) Prepare financing schemes including investigations of the source of funds, and recommendations for the final apportioning of the total costs according to the respective benefits;
- l) Prepare a plan for the administration of the social infrastructural and agricultural development programs in the relocation areas.

3. An administrative staff which shall:

- a) Be responsible to the Committee for the efficient implementation of the relocation program;
 - b) Directly implement – or through other agencies – carry out and supervise all necessary measures including:
 - Preparation of the relocation areas (e.g. infrastructural facilities, etc)
 - Preparation of settlers for their new environment
 - Staged transportation of the settlers to the new resettlement area
 - Assistance to settlers and long-term administration in the new relocation areas
 - Provision of a transitory food program
 - Provision of agricultural extension services and pilot farms
-

- Educational services
 - Financing and administration of funds in the long run
 - Establishment and operation of farming cooperatives.
- c) Provide all requested financial, technical and management assistance to the MCWD (LWUA) in the administration of that part of the Lusaran Project relative to relocation, forestry and soil conservation in the catchment area.

The Committee shall employ such administrative and professional personnel as the Committee shall need in the conduct of its day-to-day affairs.

It shall determine the contribution or share of each and all the participating agencies to a common fund to be established for the operational and maintenance expenses of the Committee and the Budget Commissioner is hereby directed to release expeditiously such funds directly to the Committee.

Members of the Committee are hereby authorized to receive reasonable transportation and representation allowances, provided, that each shall not receive more than a total of five hundred (P500.00) pesos a month.

The Committee shall perform such acts and transact such business as are necessary to implement the objectives of this Order.

The Committee shall submit quarterly reports to the Office of the President and to the Department/Agencies concerned in this undertaking.

The Committee and its staff shall operate and continue to exercise its powers until such time as its designated tasks are completed.

Done in the City of Manila, this 11th day of March, in the year of our Lord, nineteen hundred and seventy-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) JACOBO C. CLAVE
Presidential Executive Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1977). *[Administrative Order Nos.: 349 - 438]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 402

**ORDERING THE REINSTATEMENT WITH PROPER PENALTY OF SIXTEEN (16) OFFICIALS
AND EMPLOYEES OF THE DEPARTMENT OF FINANCE DISMISSED FROM THE SERVICE
ON SEPTEMBER 19, 1975.**

WHEREAS, on September 19, 1975, some 2,000 officials and employees in the government were ordered separated from the service;

WHEREAS, errors were committed in the assessment and evaluation of some of the cases of said officials and employees;

WHEREAS, to correct such errors, Administrative Order No. 370 dated October 24, 1975 was issued, creating a Committee to take cognizance of petitions for reconsiderations of dismissed officials and employees and to conduct a review of all the cases of these officials and employees;

WHEREAS, upon a careful review of the cases of the dismissed officials and employees and an evaluation of the evidence in support of their dismissal, the Committee found that a number of officials and employees in the Department of Finance deserve to be meted out penalties less than outright dismissal.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order the immediate reinstatement of the following sixteen (16) officials and employees of the Department of Finance provided, however, that during the period from September 19, 1975, up to the date of their reinstatement in accordance with this Order, these officials and employees shall be considered under the suspension without pay:

A. Department Proper

- | | | |
|--------------------------|---|--------------------------------|
| 1. Aguilung, Romualdo B. | – | Provincial Treasurer |
| 2. Barlan, Federico Y. | – | Assistant Treasurer |
| 3. Dominguez, Bernardino | – | Treasurer (Deceased) |
| 4. Ferraris, Bienvenido | – | Assistant Provincial Treasurer |
| 5. Guirigay, Pascual | – | Treasurer |
| 6. Lao, Leonides P. | – | Acting Municipal Treasurer |
| 7. Modequillo, Jose M. | – | Municipal Treasurer |

B. Bureau of Internal Revenue

- | | | |
|----------------------|---|----------------------------|
| 1. Cacho, Jesus R. | – | Collection Agent |
| 2. Corvera, Nerio F. | – | Examiner Intelligence Unit |
| 3. Montaner, Tato B. | – | Revenue Collector I |
| 4. Ramos, Edmundo M. | – | Revenue Seizure Agent II |

C. Bureau of Customs

- | | | |
|---------------------|---|----------------|
| 1. Binanay, Librado | – | Security Guard |
|---------------------|---|----------------|

-
- | | | |
|--------------------------|---|---------------------|
| 2. Dy Buco, Dalmacio Jr. | – | Accounting Clerk II |
| 3. Lucindo, Homer | – | Customs Appraiser |
| 4. Martinez, Cornelio | – | Clerk II |
| 5. Pancho, Anastacio | – | Inspector |

Done in the City of Manila, this 1st day of April, in the year of Our Lord, nineteen hundred and seventy-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) JACOBO C. CLAVE

Presidential Executive Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1977). *[Administrative Order Nos.: 349 - 438]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 403
ORDERING THE REINSTATEMENT WITH PROPER PENALTY OF TWO (2) EMPLOYEES
OF THE PHILIPPINE NATIONAL RAILWAYS DISMISSED FROM THE SERVICE ON
SEPTEMBER 19, 1975.

WHEREAS, on September 19, 1975, some 2,000 officials and employees in the government were ordered separated from the service;

WHEREAS, errors were committed in the assessment and equation of some of the cases of said officials and employees;

WHEREAS, to correct such errors, Administrative Order No. 370 dated October 24, 1975 was issued, creating a Committee to take cognizance of petitions for reconsiderations of dismissed officials and employees and to conduct a review of all the cases of these officials and employees;

WHEREAS, upon a careful review of the cases of the dismissed officials and employees and an evaluation of the evidence in support of their dismissal, the Committee found that two (2) employees in the Philippine Railways deserve to be meted out penalties less than outright dismissal.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order the immediate reinstatement of the following two (2) employees of the Philippine National Railways, provided, however, that during the period from September 19, 1975, up to the date of their reinstatement in accordance with this Order, they shall be considered under suspension without pay:

- | | | |
|----------------------|---|---------------------------------|
| 1. Mangahas, Paterno | – | Division Supervising Engineer |
| 2. Pascual, Conrado | – | Chief Buyer & Special Assistant |

Done in the City of Manila, this 1st day of April, in the year of Our Lord, nineteen hundred and seventy-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) JACOBO C. CLAVE
Presidential Executive Assistant

Source: Malacañang Records Office

Office of the President of the Philippines. (1977). *[Administrative Order Nos.: 349 - 438]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 404
ORDERING THE REINSTATEMENT WITH PROPER PENALTY OF THREE (3) EMPLOYEES
OF THE PHILIPPINE NATIONAL BANK DISMISSED FROM THE SERVICE ON
SEPTEMBER 19, 1975.

WHEREAS, on September 19, 1975, some 2,000 officials and employees in the government were ordered separated from the service;

WHEREAS, errors were committed in the assessment and evaluation of some of the cases of said officials and employees;

WHEREAS, to correct such errors, Administrative Order No. 370 dated October 24, 1975, was issued, creating a Committee to take cognizance of petitions for reconsiderations of dismissed officials and employees and to conduct a review of all the cases of these officials and employees;

WHEREAS, upon a careful review of the cases of the dismissed officials and employees and an evaluation of the evidence in support of their dismissal, the Committee found that three (3) employees in the Philippine National Bank deserve to be meted out penalties less than outright dismissal.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order the immediate reinstatement of the following three (3) employees of the Philippine National Bank, provided, however, that during the period from September 19, 1975, up to the date of their reinstatement in accordance with this Order, they shall be considered under suspension without pay:

- | | | |
|------------------------|---|-------------------------------------|
| 1. CATAMA, PETRONIO A. | – | Assistant Agent, Mangarin, Agency |
| 2. GUZMAN, LAURO L. | – | Inspector-Collector, Dipolog Branch |
| 3. QUINONES, VIRGINIA | – | Teller, La Union Branch |

Done in the City of Manila, this 1st day of April, in the year of Our Lord, nineteen hundred and seventy-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) JACOBO C. CLAVE

Presidential Executive Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1977). *[Administrative Order Nos.: 349 - 438]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 405

ORDERING THE REINSTATEMENT WITH PROPER PENALTY OF EIGHTY-NINE (89)
OFFICIALS AND EMPLOYEES OF THE DEPARTMENT OF AGRICULTURE DISMISSED FROM
THE SERVICE ON SEPTEMBER 19, 1975.

WHEREAS, on September 19, 1975, some 2,000 officials and employees in the government were ordered separated from the service;

WHEREAS, errors were committed in the assessment and evaluation of some of the cases of said officials and employees;

WHEREAS, to correct such errors, Administrative Order No. 370 dated October 24, 1975 was issued, creating a Committee to take cognizance of petitions for reconsiderations of dismissed officials and employees and to conduct a review of all the cases of these officials and employees;

WHEREAS, upon a careful review of the cases of the dismissed officials and employees and an evaluation of the evidence in support of their dismissal, the Committee found that a number of officials and employees in the Department of Agriculture deserve to be meted out penalties less than outright dismissal.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the power vested in me by the Constitution, do hereby order the immediate reinstatement of the following eighty-nine (89) officials and employees of the Department of Agriculture provided, however, that during the period from September 19, 1975 up to the date of their reinstatement in accordance with this Order, these officials and employees shall be considered under suspension without pay:

A. Department Proper

- | | | |
|------------------------|---|--------------------------|
| 1. Agtarap, Teofilo | – | Supply Officer III |
| 2. Notario, Guillermo | – | Offset Press Operator |
| 3. Rodriguez, Herminio | – | Building Maintenance Man |
| 4. Sacramento, Rodolfo | – | Electrician Helper |

B. National Food and Agriculture Council

- | | | |
|-----------------------|---|----------------------------|
| 1. Amores, Rene C. | – | Farm Management Technician |
| 2. Reyes, Francisco | – | Production Technician |
| 3. Santiago, Sixto N. | – | Production Technician |

C. Bureau of Animal Industry

- | | | |
|----------------------|---|------------------------------------|
| 1. Borbon Nicanor | – | Livestock Inspector |
| 2. Cases, Juanito | – | Provincial Veterinarian, Laguna |
| 3. Contreras, Eliseo | – | Chief, Livestock Research Division |
| 4. Docena, Prescilla | – | Liaison Officer |
| 5. Peros, Andres Jr. | – | Dairy Division |

- | | | |
|-----------------------|---|------------------------------|
| 6. Privado, Bernardo | – | Property Custodian |
| 7. Rivera, Manuel | – | Property Officer |
| 8. Suarez, Orlando de | – | Production Technician |
| 9. Yumena, Valentino | – | Provincial Vet., Nueva Ecija |

D. Bureau of Agricultural Extension

- | | | |
|--------------------------|---|------------------------------------|
| 1. Abangacad, Macabadan | – | Sr. Farm Management Technologist |
| 2. Almerol, Arturo | – | Production Technologist |
| 3. Aplao, Adelino | – | Production Technologist |
| 4. Austria, Juana M. | – | Farm Management Technician |
| 5. Bacaraman, Monamadele | – | Production Technologist |
| 6. Bernarte, Jose M. | – | Administrative Officer I |
| 7. Calina, Astrophel | – | Production Technician |
| 8. Castro, Jose P. | – | Assistant Provincial Agriculturist |
| 9. Clarino, Leticia | – | Personnel Aide |
| 10. Dizon, Dominador | – | Budget Aide |
| 11. Duadua, Eduardo | – | Production Technician |
| 12. Julian, Albertina | – | Head Executive Assistant |
| 13. Lim, Luz B. | – | Senior Home Mgt. Technician |
| 14. Lota, Javier | – | Farm Management Technician |
| 15. Macaraig, Jesus | – | Farm Management Technician |
| 16. Manrique, Lucita | – | Home Management Technician |
| 17. Mendoza, Silvestre | – | Production Technician |
| 18. Olama, Alauya | – | Production Technologist |
| 19. Palad, Francisco O. | – | Chief, Accounting Section |
| 20. Prado, Marcial | – | Production Technician |
| 21. Ponce, Irene | – | Region II Accounting |
| 22. Ramos, Mariano Jr. | – | Provincial Agriculturist |
| 23. Roquero, Juan | – | Production Technologist |
| 24. Sajulga, Lucrecion | – | Production Technologist |
| 25. Tale, Jesus | – | Provincial Agriculturist |
| 26. Tan, Dante | – | Production Technologist |
| 27. Tarriela, Rodante | – | Farm Management Technician |
| 28. Templa, Gaudencio | – | Corn Technician |
| 29. Torres, Ceferino | – | Production Technician |
| 30. Vegafria, Alberto | – | Production Technician |
| 31. Vinuya, Ponciano | – | Production Technician |

E. Bureau of Plant Industry

- | | | |
|--------------------------|---|----------------------------------|
| 1. Almadin, Oscar | – | Driver |
| 2. Arroyo, Ramon | – | Regional Accountant |
| 3. Ayson, Petronilo C. | – | Security Guard |
| 4. Ballesteros, Benjamin | – | Engineering Officer |
| 5. Ballesteros, Rustico | – | Driver |
| 6. Bello, Santiago B. | – | Plant Pest Control Worker (PPCW) |
| 7. Bernardo, Ruizante | – | Regional Accountant |

8. Cacalda, Simeon M.	–	P P C W
9. Calso, Benedicto	–	Personnel Officer
10. Calucin, Mary	–	P P C W
11. Dimayuga, Gregorio	–	Accounting Clerk
12. Dionido, Roberto	–	Senior Personnel Aide
13. Fetalvero, Antonio	–	Property Officer
14. Filart, Pacita	–	Administrative Aide
15. Fojas, Florentina B.	–	Canvasser
16. Fontero, Remedios	–	Cashier
17. Garcellano, Pacifico	–	Production Technician
18. Jalindon, Freddie	–	Chief, Budget Division
19. Kalaw, Rizalino	–	Engineering
20. Lejano, Luis	–	Timekeeper
21. Manaois, Felipe	–	Engineering
22. Manuel, Prospero	–	Property Officer
23. Mariano, Francisco	–	Engineering
24. Montero, Jose B.	–	Legal Officer III
25. Orillos, Tomas M.	–	Supervising Agronomist
26. Ortiz, Artemio	–	Records Officer
27. Pajenagos, Santos	–	Production Technician
28. Paculo, Jose	–	Accounting Clerk
29. Pecson, Virginia	–	Accounting Aide
30. Pena, Claire de la	–	Researcher
31. Punzalan, Claudio	–	Legal Officer
32. Quijano, Jose	–	Engineering
33. Ramos, Carmen	–	Cashier
34. Rivero, Mariano	–	Budget Officer
35. Rufino, Frondo	–	P P C W
36. Sena, Andres	–	Corn Technician
37. Sevilla, Ricardo	–	Engineering
38. Teves, Francisco	–	Administrative Aide
39. Tugade, Simeon	–	Personnel Officer
40. Zabanal, Jose A.	–	Senior Plant Pest Control Officer
F. <u>Bureau of Soils</u>		
1. Austria, Angeles	–	Property Officer
2. Jacinto, Alfredo	–	Production Technician

Done in the City of Manila, this 1st day of April, in the year of Our Lord, nineteen hundred and seventy-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) JACOBO C. CLAVE
Presidential Executive Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1977). [*Administrative Order Nos.: 349 - 438*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 406

**ORDERING THE REINSTATEMENT WITH PROPER PENALTY OF SIX (6) OFFICIALS AND
EMPLOYEES OF THE DEPARTMENT OF TRADE DISMISSED FROM THE SERVICE ON
SEPTEMBER 19, 1975.**

WHEREAS, on September 15, 1975, some 2,000 officials and employees in the government were ordered separated from the service;

WHEREAS, errors were committed in the assessment and evaluation of some of the cases of said officials and employees;

WHEREAS, to correct such errors, Administrative Order No. 370 dated October 24, 1975 was issued, creating a Committee to take cognizance of petitions for reconsiderations of dismissed officials and employees and to conduct a review of all the cases of these officials and employees;

WHEREAS, upon a careful review of the cases of the dismissed officials and employees and an evaluation of the evidence in support of their dismissal, the Committee found that a number of officials and employees in the Department of Trade deserve to be meted out penalties less than outright dismissal.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order the immediate reinstatement of the following six (6) officials and employees of the Department of Trade provided, however, that during the period from September 19, 1975 up to the date of their reinstatement in accordance with this Order, these officials and employees shall be considered under suspension without pay:

- | | |
|---------------------------|--|
| 1. Adriano, Carmencita C. | – Senior Commercial Agent
Bureau of Foreign Trade (BFT) |
| 2. Balatbat, Roberto | – Janitor, BFT |
| 3. Bustalino, Jose | – Commercial Attache, BFT |
| 4. Cinco, Rosalinda B. | – Secretary, BFT |
| 5. Corpin, Crisostomo | – Chief Commercial Agent, BFT |
| 6. Geronimo, Rodolfo S. | – Private Secretary I, BFT |

Done in the City of Manila, this 1st day of April, in the year of Our Lord, nineteen hundred and seventy-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) JACOBO C. CLAVE
Presidential Executive Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1977). [*Administrative Order Nos.: 349 - 438*]. Manila: Malacañang Records Office.

MALACAÑAN PALACE
MANILA

ADMINISTRATIVE ORDER NO. 407
AMENDING ADMINISTRATIVE ORDER NO. 350 DATED FEBRUARY 2, 1973

Pursuant to Presidential Decree No. 124 dated February 2, 1973, I, FERDINAND E. MARCOS, in accordance with the powers vested in me by the Constitution of the Philippines, and pursuant to Proclamation No. 1104 dated January 17, 1973, do hereby amend Administrative Order No. 350, dated February 2, 1973, with respect to the composition of the Amnesty Commission created thereunder by making Provincial Fiscals, to be designated by the Secretary of Justice, as members thereof in lieu of Judges of Court of First Instance.

This Order shall take effect immediately.

Done in the City of Manila, this 1st day of July, in the year of Our Lord, 1977.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) JUAN C. TUVERA
Presidential Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1977). *[Administrative Order Nos.: 349 - 438]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

ADMINISTRATIVE ORDER NO. 408

ORDERING THE REINSTATEMENT WITH PROPER PENALTY OF SEVEN (7) EMPLOYEES
OF THE DEPARTMENT OF AGRARIAN REFORM DISMISSED FROM THE SERVICE ON
SEPTEMBER 19, 1975.

WHEREAS, Messrs. RICARDO ABARRIENTOS, ROBERTA CORDOVA, GERUNDIO MILLO, MALAWANI MINDARAPAT, BONIFACIO MORALES, JUSTINIANO VILLOCIDO and GALILEO LARIEGO were among the 2,000 officials and employees ordered separated from the service on September 19, 1975; and

WHEREAS, the Secretary of Agrarian Reform in his letter of December 6, 1976, after a judicious study of the respective cases of said employees, and finding that no prima facie evidence exists against them recommended their immediate reinstatement to the service.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order the immediate reinstatement of the following personnel of the Department of Agrarian Reform who shall be considered under suspension from date of separation up to their actual reinstatement:

1. RICARDO ABARRIENTOS
2. ROBERTA CORDOVA
3. GERUNDIO MILLO
4. MALAWANI MINDARAPAT
5. BONIFACIO MORALES
6. JUSTINIANO VILLOCIDO
7. GALILEO LARIEGO

Done in the City of Manila, this 28th day of July, in the year of Our Lord, nineteen hundred and seventy-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) JACOBO C. CLAVE
Presidential Executive Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1977). *[Administrative Order Nos.: 349 - 438]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 409

**ORDERING THE REINSTATEMENT WITH PROPER PENALTY OF FIVE (5) OFFICIALS AND
EMPLOYEES OF THE DEPARTMENT OF PUBLIC INFORMATION DISMISSED FROM THE
SERVICE ON SEPTEMBER 19, 1975.**

WHEREAS, on September 19, 1975, some 2,000 officials and employees in the government were ordered separated from the service;

WHEREAS, errors were committed in the assessment and evaluation of some of the cases of said officials and employees;

WHEREAS, to correct such errors, Administrative Order No. 370 dated October 24, 1975, was issued, creating a Committee to take cognizance of petitions for reconsiderations of dismissed officials and employees and to conduct a review of all the cases of these officials and employees;

WHEREAS, upon a careful review of the cases of the dismissed officials and employees and an evaluation of the evidence in support of their dismissal, the Committee found that a number of officials and employees in the Department of Public Information deserve to be meted out penalties less than outright dismissal.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order the immediate reinstatement of the following five (5) officials and employees of the Department of Public Information provided, however, that during the period from September 19, 1975, up to the date of their reinstatement in accordance with this Order, these officials and employees shall be considered under suspension without pay:

- | | | |
|------------------------|---|--|
| 1. Bernal, Constantino | – | Chief, Network Division, Bureau of Broadcast |
| 2. Duque, Alex | – | Station Manager, Bureau of Broadcast |
| 3. Dytiapco, Eduardo | – | Asst. Engineer, Bureau of Broadcast |
| 4. Grande, Antonio D. | – | Radio Announcer, Bureau of Broadcast |
| 5. Rancho, Primitivo | – | Supply Officer I |

Done in the City of Manila, this 28th day of July, in the year of Our Lord, nineteen hundred and seventy-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) JACOBO C. CLAVE
Presidential Executive Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1977). *[Administrative Order Nos.: 349 - 438]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

ADMINISTRATIVE ORDER NO. 410

**ORDERING THE REINSTATEMENT WITH PROPER PENALTY OF MR. MATEO I. MANDAP
AS ASSISTANT PROVINCIAL ENGINEER IN THE PROVINCE OF DAVAO DEL SUR.**

WHEREAS, Mr. Mateo I. Mandap was among the 2,000 officials and employees ordered separated from the service on September 19, 1975;

WHEREAS, the Provincial Engineer and the Provincial Governor of Davao del Sur as well as the Secretary of Public Highways recommend his reinstatement.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by Constitution, do hereby order the immediate reinstatement of Mr. MATEO I. MANDAP in the Department of Public Highways, provided that during the period from the date of his separation from the service up to his reinstatement in accordance with this Order, he shall be considered under suspension without pay.

Done in the City of Manila, this 28th day of July, in the year of Our Lord, nineteen hundred and seventy-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) JACOBO C. CLAVE

Presidential Executive Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1977). *[Administrative Order Nos.: 349 - 438]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

ADMINISTRATIVE ORDER NO. 411
ORDERING THE REINSTATEMENT WITH PROPER PENALTY OF SEVENTEEN (17)
PERSONNEL OF THE BUREAU OF FOREST DEVELOPMENT.

WHEREAS, the following seventeen (17) personnel of the Bureau of Forest Development were among those ordered separated from the service on September 19, 1975:

- | | |
|--------------------------|------------------------|
| 1. Primitivo F. Galinato | 10. Diana L. Banda |
| 2. Domingo Bacalla | 11. Milagros O. Calim |
| 3. Reymundo T. Tabuno | 12. Angel B. Magbaleta |
| 4. Amador E. Siapno | 13. Bernardo Borja |
| 5. Cesario Ursua | 14. Pedro V. Calixto |
| 6. Raymundo Tingson | 15. Corazon Rodolfo |
| 7. Tranzon E. Tuscano | 16. Winston L. Albay |
| 8. Lorenzo M. Estrada | 17. Felix S. Soriano |
| 9. Corazon S. Capellan | |

WHEREAS, the Secretary of Natural Resources and the Director of Forest Development have recommended the reinstatement of the above-mentioned seventeen (17) BFD personnel in view of the findings of the BFD and the DNR Committee on Investigation that they have no substantiated pending administrative/criminal cases filed against them.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order the immediate reinstatement of the above-listed personnel of the Bureau of Forest Development, provided during the period from the date of their separation from the service up to their reinstatement in accordance with this Order, they shall be considered under suspension without pay.

Done in the City of Manila, this 28th day of July, in the year of Our Lord, nineteen hundred and seventy-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) JACOBO C. CLAVE
Presidential Executive Assistant

Source: Malacañang Records Office

Office of the President of the Philippines. (1977). *[Administrative Order Nos.: 349 - 438]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

ADMINISTRATIVE ORDER NO. 412

ORDERING THE REINSTATEMENT WITH PROPER PENALTY OF ELEVEN (11) OFFICIALS AND EMPLOYEES OF THE DEPARTMENT OF PUBLIC WORKS, TRANSPORTATION AND COMMUNICATIONS.

WHEREAS, the following eleven (11) officials and employees of the Department of Public Works, Transportation and Communications were among the 2,000 officials and employees ordered separated from the service on September 19, 1975:

FLORENCIO ARICHETA	–	Bureau of Public Works
ROMULO GALANG	–	Land Transportation Commission
AMELITA M. PALMIANO	–	Specialized Regulatory Boards
CONSUELO M. MOSCOSO	–	" " "
DIOSDADO M. BACANI	–	" " "
RENATO DE LA PENA	–	" " "
ROGELIO R. OASAN	–	" " "
ARTURO DEL ROSARIO	–	" " "
AVIS DEL ROSARIO	–	" " "
OFELIA T. FERRER	–	" " "
ROMULO L. ALON	–	" " "

WHEREAS, the Department of Public Works, Transportation and Communications has recommended their reinstatement considering that there are no substantiated pending administrative or criminal cases against them.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution do hereby order the immediate reinstatement of the aforementioned eleven (11) officials and employees in the Department of Public Works, Transportation and Communications, provided that during the period from the date of their separation from the service up to their reinstatement in accordance with this Order they shall be considered under suspension without pay.

Done in the City of Manila, this 28th day of July, in the year of Our Lord, nineteen hundred and seventy-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) JACOBO C. CLAVE
Presidential Executive Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1977). *[Administrative Order Nos.: 1 - 39]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

ADMINISTRATIVE ORDER NO. 413

ORDERING THE REINSTATEMENT WITH PROPER PENALTY OF MESSRS. ABDULFARID
MAGLANGIT, ALFRED E. LISONDRA AND JOVITO L. DOMINGO, ALL OF THE
DEPARTMENT OF EDUCATION AND CULTURE.

WHEREAS, Messrs. Maglangit, Lisondra and Domingo were among the 2,000 officials and employee ordered separated from the service on September 19, 1975; and

WHEREAS, the Department of Education and Culture has recommend the reinstatement of Messrs. Maglangit, Lisondra and Domingo.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order the immediate reinstatement of Messrs. ABDULFARID MAGLANGIT, ALFRED E. LISONDRA and JOVITO L. DOMINGO in the Department of Education and Culture, provided that during the period from the date of their separation from the service up to their reinstatement in accordance with this Order, they shall be considered under suspension without pay.

Done in the City of Manila, this 28th day of July, in the year of Our Lord, nineteen hundred and seventy-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) JACOBO C. CLAVE

Presidential Executive Assistant

Source: Malacañang Records Office

Office of the President of the Philippines. (1977). *[Administrative Order Nos.: 349 - 438]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

ADMINISTRATIVE ORDER NO. 414

**ORDERING THE REINSTATEMENT WITH PROPER PENALTY OF DR. TEODORO P. MOTUS
AS CHIEF OF THE CORAZON LOCSIN MONTELIBANO MEMORIAL HOSPITAL.**

WHEREAS, Dr. TEODORO P. MOTUS was among the 2,000 officials and employees ordered separated from the service on September 19, 1975; and

WHEREAS, the Secretary of Health is strongly recommending the reinstatement of Dr. Motus stating that there is no pending administrative or criminal case against him.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order the immediate reinstatement of Dr. TEODORO P. MOTUS as Chief of the Corazon Locsin Montelibano Memorial Hospital, provided that during the period from the date of his separation from the service up to his reinstatement in accordance with this Order, he shall be considered under suspension without pay.

Done in the City of Manila, this 28th day of July, in the year of Our Lord, nineteen hundred and seventy-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) JACOBO C. CLAVE

Presidential Executive Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1977). *[Administrative Order Nos.: 349 - 438]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

ADMINISTRATIVE ORDER NO. 415

ORDERING THE REINSTATEMENT WITH PROPER PENALTY OF MR. FELIPE MONTEALTO
AS LEADMAN LABORER OF JALAU Reforestation Project, CALINOG, ILOILO,
BUREAU OF FOREST DEVELOPMENT.

WHEREAS, Mr. Felipe Montalto was among the 2,000 officials and employees ordered separated from the service in September, 1975; and

WHEREAS, the Secretary of Natural Resources and the Director of Forest Development have recommended the reinstatement of Mr. Montalto, it appearing that he has no pending administrative/criminal case filed against him.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order the immediate reinstatement of Mr. Felipe Montalto as Leadman Laborer of Jalaur Reforestation Project, Calinog, Iloilo, Bureau of Forest Development, provided that during the period from the date of his separation from the service up to his reinstatement in accordance with this Order, he shall be considered under suspension without pay.

Done in the City of Manila, this 5th day of September, in the year of Our Lord, nineteen hundred and seventy-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) JACOBO C. CLAVE

Presidential Executive Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1977). *[Administrative Order Nos.: 349 - 438]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

ADMINISTRATIVE ORDER NO. 416

ORDERING THE REINSTATEMENT IN THE GOVERNMENT SERVICE WITH PROPER
PENALTY OF ONE HUNDRED FIFTY-THREE (153) OFFICIALS AND EMPLOYEES
RECOMMEND BY THE APPEALS COMMITTEE CREATED UNDER ADMINISTRATIVE
ORDER NO. 370, SERIES OF 1975.

WHEREAS, the following one hundred fifty-three (153) officials and employees were among the 2,000 officials and employees ordered separated from the service in September, 1975:

I. Department of Natural Resources

A. Bureau of Mines –

- | | | |
|--------------------------|---|-------------------|
| 1. Comsti, Calinico Sr. | – | Sr. Legal Officer |
| 2. Espina, Virginia | – | Legal Officer III |
| 3. Santillan, Alfredo C. | – | Legal Officer III |

B. Bureau of Lands –

- | | | |
|-----------------------|---|--------------------|
| 1. Alcantara, Orlando | – | Disbursing Officer |
| 2. Frazuela, Justo M. | – | Sup. Land Exam. |

C. Bureau of Fisheries & Aquatic Resources –

- | | | |
|------------------------|---|-----------------|
| 1. Ciocon, Gregorio S. | – | Fishery Officer |
|------------------------|---|-----------------|

II. Department of Public Highways

- | | | |
|-------------------------|---|--------------------------------|
| 1. Cabagnet, Jose | – | Acct. I, Aklan |
| 2. Fellores, Jose F. | – | Highway Dist. Engr. Reg. Off. |
| 3. Ipanag, Aniceto A. | – | Sr. Civil Engr., Tagum, Davao |
| 4. Lee, Eduardo | – | Eqpt. VI, Iloilo City |
| 5. Nieves, Marcelino S. | – | Asst. Div. Chief, Bu. of Eqpt. |
| 6. Sembrano, Jesus A. | – | Engr., Bacolod City |

III. Department of Public Works, Transportation & Communications

- | | | |
|-----------------------------|---|----------------------------|
| 1. Codilla, Felix | – | Chief Civil Engineer |
| 2. Doblas, Escolastico, Jr. | – | Prop. Custodian |
| 3. Faustino, Meynardo | – | Eqpt. Engr. |
| 4. Magturo, Rodolfo | – | Superv. Civil Engineer III |
| 5. Martinez, Vicente | – | Chief, Gen. Service Div. |
| 6. Reyes, Gregorio de los | – | Prop. Custodian |

A. Bureau of Public Works –

- | | | |
|-------------------|---|-------------------------------------|
| 1. Gatus, Amador | – | Chief Flood Control & Drainage Div. |
| 2. Koh, Feliciano | – | Asst. Chief, Ports & Harbors Div. |

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- | | | |
|---|---|---------------------------------|
| 3. Madamba, Enrique, Jr. | – | Asst. Chief |
| 4. Merelos, Bienvenido | – | Chief, Legal Div. |
| | | |
| B. Bureau of Telecommunications –
Marquez, Epitacio R. | – | Chief, Planning & Eng’g Service |
| | | |
| C. Bureau of Posts – | | |
| 1. Apalisok, Eutropio | – | Actg. Reg. Director |
| 2. Bactat, Rosito | – | Postmaster |
| 3. Bernabe, Rustico | – | Postmaster |
| | | |
| D. Bicol River Basin Council – | | |
| 1. Anonas, Jose | – | Supply Logistic Officer |
| 2. Demdam, Levy | – | Personnel Officer |
| 3. Gimpaya, Crisanto | – | Dep. Exec. Dir. |
| 4. Ragodon, Eugenio, Jr. | – | Administrative Officer |
| 5. Ravanera, Oscar | – | Executive Director |
| 6. Tabing, Angelito | – | Consultant |
| | | |
| E. Land Transportation Commission | | |
| 1. Abellanos, Isabelo | – | Officer-in-Charge |
| 2. Amistoso, Ismael G. | – | Registrar |
| 3. Artajo, Sergio V. | – | Driver |
| 4. Cabrereros, Rene | – | Patrolman Officer |
| 5. Espejon, Cesario E. | – | Patrolman Officer |
| 6. Gorra, Jose | – | Asst. Regional Director |
| 7. Kilayko, Heman | – | Motor Vehicle Inspector |
| 8. London, Amado S. | – | Personnel Officer II |
| 9. Madria, Manolo P. | – | Patrolman Officer |
| 10. Parino, Marcelino | – | Registrar |
| 11. Tero, Emmanuel T. | – | Examiner |
| 12. Villarosa, Jose | – | Registrar |
| 13. Valdez, Teresita | – | Chief Accountant |
| | | |
| F. Specialized Regulatory Board | | |
| 1. Anonuevo, Conchita | – | Stenog. Reporter |
| 2. Armentano, Alfredo | – | Janitor |
| 3. Asis, Cecilia | – | Clerk I |
| 4. Balagtas, Bienvenido | – | Precision Instrument Tech. I |
| 5. Bautista, Jesus | – | Laborer |
| 6. Bautista, Oscar | – | Utilities Regulation Engr. I |
| 7. Baruela, Ernesto | – | Precision Instrument Tech. I |
| 8. Barreo, Francisco | – | Clerk I |
| 9. Caday, Walter | – | Transportation Inspector |
| 10. Caguicla, Francisco | – | Public Utilities Adviser |
| 11. Canlas, Manuel | – | Superv. Field Transp. Insp. |
-

12. Castillo, Josefina	–	Actg. Hearing Officer III
13. Castillo, Roberto	–	Clerk I
14. Coligado, Eliodoro	–	Special Agent
15. Cruz, Efren	–	Special Agent
16. Dacanay, Juanita	–	Stenog. Reporter
17. Dilay, Antonio	–	Special Agent
18. Dinoy, Tiburcia	–	Bindery Helper
19. Dungca, Rolando	–	Clerk I
20. Espanol, Exuferio	–	Precision Inst. Tech. I
21. Fua, Ramon	–	Transportation Inspector
22. Fuente, Generoso de la	–	Laborer
23. Gabilo, Editha	–	Bindery Helper
24. Garcia, Pacita	–	Bindery Helper
25. Hernando, Oscar	–	Precision Instrument Tech. I
26. Hinojales, Paulino	–	Security Guard
27. Holgado, Douglas	–	Special Agent
28. Ignacio, Juanito	–	Janitor
29. Jimenez, Zenaida	–	Stenog. Reporter
30. Jungco, Norma	–	Translator & Actg. Stat. Aide
31. Lara, Victor	–	Sr. Transp. Insp.
32. Leynes, Gregorio	–	Transp. Insp.
33. Lopez, Napoleon	–	Precision Inst. Tech. I
34. Lozano, Aurora	–	Clerk I
35. Lucas, Ildefonso	–	Laborer & Actg. Messenger
36. Midalla, Rosita	–	Clerk I
37. Mellendrez, Romeo	–	Precision Inst. Tech. I
38. Moreno, Manuel	–	Special Agent
39. Nicandro, Amor	–	Clerk II
40. Olba, Perla	–	Utilities Rev. Exam.
41. Ozaeta, Alejandro	–	Actg. Asst. Chief, Standards & Meter Laboratory
42. Paredes, Erline	–	Clerk I
43. Parro, Urbano	–	Actg. Chief, Water Testing
44. Patiag, Laureto	–	Janitor
45. Penasales, Cynthia	–	Bindery Helper & Actg. Secretary
46. Pernes, Dominador	–	Transp. Insp.
47. Perez, Alejandro	–	Laborer
48. Prudencio, Lourdes	–	Clerk I
49. Punzalan, Jaime	–	Precision Inst. Tech. I
50. Purugganan, Rodolfo	–	Clark I
51. Ramos, Remedios	–	Stenog.
52. Relosa, Edgardo	–	Dup. Eqpt. Opr. I
53. Regalado, Salvador	–	Transp. Insp.
54. Reyes, Jose	–	Transp. Insp.
55. Roldan, Rodolfo	–	Precision Inst. Tech. I
56. Ruefa, Sergio	–	Special Agent

57. Sanchez, Rodolfo	–	Special Agent
58. Serrano, Pedro	–	Transp. Insp.
59. Serrano, Romeo	–	Special Agent
60. Sison, Conrado	–	Transp. Insp.
61. Tadle, Conrado	–	Actg. Chief, Stand. & Meter Lab.
62. Tan, Anita	–	Bindery Helper
63. Torres, Ventura	–	Ut. Rev. Exam.
64. Transmonte, David	–	Transp. Insp.
65. Veray, Pompeia	–	Stenog. Reporter
66. Yurong, Jesus	–	Special Agent

IV. Department of Trade –

1. Ayson, Eleuterio E.	–	Statistician, NACIDA
2. Cayabyab, Guillermo, Jr.	–	Com. Attache, BFT
3. Lachica, Orlando	–	Standard Insp., NACIDA
4. Quillopo, Dionisio	–	Registrar, NACIDA
5. Rapanut, Arsenia	–	Supply Officer, NACIDA
6. Sogue, Millondo E.	–	Driver, BFT
7. Tabora, Jesus S.	–	Com. Agent I, BDT
8. Vega, Domingo de	–	Sup. Com. Agent, BDT

V. Government Agencies/Corporations/Commissions

A. Commission on Elections

1. Angus, Valeriano	–	Prov. Elec. Superv., Cebu
2. Rabastro, Felix C.	–	Security Guard, Manila Office

B. Commission on National Integration

Puyo, Cresenciano M.	–	Officer-in-Charge
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C. Commission on Population –

1. Casco, Florencio S.	–	Adm. Asst. II
2. Maganda, Teresita	–	Sr. Buyer

D. Development Bank of the Philippines

1. Cruzada, Fidel R.	–	Asst. Chief, Loan Div., DBP, Com. Dev. Proj.
2. Guzman, Rolando de	–	Asst. Div., Chief, Ind. Main Office
3. Pinpin, Shirley S.	–	Pers. Off. (Food Terminal)
4. Serdon, Bartolome	–	Asst. Accts. Superv.
5. Tuazon, Enrico	–	Proj. Sup., Ind., Div., Main Office

E. Government Service Insurance System

1. Pabalate, Virgilio A.	–	Clerk-Typist
--------------------------	---	--------------

F. Metropolitan Waterworks & Sewerage System

- | | | |
|--------------------------|---|----------------|
| 1. Claridades, Petronino | – | Bill Custodian |
| 2. Marasigan, Reynaldo | – | Pipefitter |
| 3. Ramirez, Miadora | – | Clerk-typist |
| 4. Solinap, Rodolfo | – | Pipefitter |

G. National Economic Development Authority

- | | | |
|----------------------|---|------------|
| 1. Goyena, Sebastian | – | Accountant |
|----------------------|---|------------|

H. National Power Corporation

- | | | |
|-----------------------|---|---------------------------------------|
| 1. Barranda, Nono | – | Assoc. Civ. Engr. |
| 2. Barrantes, Nonilon | – | Right-of-way Helper |
| 3. Manapsal, Jesus | – | Asst. Corp., Board Sec. Sub-Area Sup. |
| 4. Policarpio, Rafael | – | Sub-Area Sup. |

I. Philippine Charity Sweepstakes Office –

- | | | |
|------------------------|---|---|
| 1. Cruz, Ramon de la | – | Ticket Checker |
| 2. Monroy, Salvador | – | Sup. Sp. Inv. |
| 3. Roldan, Ronceval A. | – | Consultant on Charity Allotment Program |
| 4. Tomelden, Norma | – | Internal Auditor |
| 5. Ungson, Rosario D. | – | Sr. Inf. Edit. |

J. Philippine National Bank

- | | | |
|-------------------------|---|--|
| 1. Delgado, Ernesto | – | Library Clk., Malacañang Ext. Office |
| 2. Fernando, Rosario S. | – | Pharmacist PNB, Escolta |
| 3. Francisco, Marcial | – | Liability Bookkeeper, Lipa City |
| 4. Romana, Antonio Sta. | – | Sr. Filing Clerk, Loans & Discount Dept. |
| 5. Salazar, Reynaldo | – | Janitor-messenger, Mangarin Agency |

K. Securities & Exchange Commission

- | | | |
|-----------------------|---|------------------------|
| 1. Aman, Nehamias R. | – | Agent III |
| 2. Catapang, Gregorio | – | Administrative Officer |
| 3. Lara, Luis Sr. | – | Exec. Director |
| 4. Larisma, Mario | – | Prop. & Supply |

WHEREAS, the Appeals Committee created under Administrative Order No. 370, series of 1975, to take cognizance of petitions for reconsideration of dismissed officials and employees has recommended their reinstatement in the government service.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order their immediate reinstatement in their respective offices provided that during the period from the date of their separation from the service up to their reinstatement in accordance with this Order, they shall be considered under suspension without pay.

Done in the City of Manila, this 2nd day of November, in the year of Our Lord, nineteen hundred and seventy-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) JACOBO C. CLAVE

Presidential Executive Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1977). [*Administrative Order Nos.: 349 - 438*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

ADMINISTRATIVE ORDER NO. 417

**REINSTATING MR. ANTONIO B. ESCALANTE AS HEAD EXECUTIVE ASSISTANT, OFFICE
OF THE SECRETARY, DEPARTMENT OF PUBLIC WORKS, TRANSPORTATION AND
COMMUNICATIONS.**

Upon the recommendation of the Special Committee created under Administrative Order No. 371, series of 1975, to take cognizance of the petitions for reconsiderations of graduates of the Career Executive Service Development Program, who were separated during the government-wide campaign against undesirables in the government service, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order the immediate reinstatement of Mr. ANTONIO B. ESCALANTE as Head Executive Assistant, Office of the Secretary, Department of Public Works, Transportation and Communications, effective as of the date of his separation from office.

Done in the City of Manila, this 2nd day of November, in the year of Our Lord nineteen hundred and seventy-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) JACOBO C. CLAVE
Presidential Executive Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1977). *[Administrative Order Nos.: 349 - 438]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

ADMINISTRATIVE ORDER NO. 418
REINSTATING MR. RAYMUNDO M. JIMENEZ TO THE POSITION OF REGIONAL
DIRECTOR, REGIONAL OFFICE NO. 7, CEBU CITY, LAND TRANSPORTATION
COMMISSION.

Upon the recommendation of the Special Committee created under Administrative Order No. 371, series of 1975, to take cognizance of petitions for reconsideration of graduates of the Career Executive Service Development Program, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order the reinstatement of Mr. RAYMUNDO M. JIMENEZ to the position of Regional Director, Regional Office No. 7, Cebu City, Land Transportation Commission, effective as of the date of his separation from office.

Done in the City of Manila, this 2nd day of November, in the year of Our Lord, nineteen hundred and seventy-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) JACOBO C. CLAVE
Presidential Executive Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1977). *[Administrative Order Nos.: 349 - 438]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

ADMINISTRATIVE ORDER NO. 419

REINSTATING MR. BENJAMIN M. BATOON AS REGIONAL DIRECTOR, REGION II, BUREAU
OF FOREST DEVELOPMENT, DEPARTMENT OF NATURAL RESOURCES.

Upon recommendation of the Special Committee created under Administrative Order No. 371, series of 1975, I FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order the immediate reinstatement of Mr. BENJAMIN M. BATOON as Regional Director, Region II, Bureau of Forest Development, Department of Natural Resources, effective as of the date of his separation from office.

Done in the City of Manila, this 2nd day of November, in the year of Our Lord nineteen hundred and seventy-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) JACOBO C. CLAVE
Presidential Executive Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1977). *[Administrative Order Nos.: 349 - 438]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

ADMINISTRATIVE ORDER NO. 420

**REINSTATING MR. DANIEL S. ZOLAYVAR AS REGIONAL DIRECTOR OF THE BUREAU OF
TELECOMMUNICATIONS AT CEBU CITY.**

Upon the recommendation of the Special Committee created under Administrative Order No. 371, series of 1975, to take cognizance of the petitions for reconsideration of graduates of the Career Executive Service Development Program affected under Letter of Instruction No. 309, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order the immediate reinstatement of Mr. DANIEL S. ZOLAYVAR to his position of Regional Director, Bureau of Telecommunications at Cebu City, effective as of the date of his separation from office.

Done in the City of Manila, this 2nd day of November, in the year of Our Lord, nineteen hundred and seventy-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) JACOBO C. CLAVE
Presidential Executive Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1977). [*Administrative Order Nos.: 349 - 438*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

ADMINISTRATIVE ORDER NO. 421

RECONSIDERING THE NATURE OR THE SEPARATION OF ROMAN R. VALERA FROM THE POSITION OF OFFICER-IN-CHARGE, OFFICE OF THE ASSISTANT DIRECTOR, BUREAU OF FORESTS DEVELOPMENT, DEPARTMENT OF NATURAL RESOURCES, AND ALLOWING HIM TO RETIRE WITH FULL BENEFITS.

WHEREAS, Mr. Roman B. Valera, Officer-in-Charge, Office of the Assistant Director, Bureau of Forests Development, Department of Natural Resources, was separated on September 29, 1975 pursuant to the government-wide campaign to rid the public service of notoriously undesirable officials and employees;

WHEREAS, he has petitioned for a reconsideration of his separation pointing out his long and loyal service to the government for 34 years during which time he has not been the subject of administrative or criminal charges;

WHEREAS, after due investigation, the Special Committee created under Administrative Order No. 371, s. 1975, to review petitions of graduates of the Career Executive Service Development Program affected under LOI 309 has recommend that the manner of Mr. Valera's separation be reconsidered and that he be allowed to retire with full benefits;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order that Roman B. Valera be allowed to retire from the position he was holding at the time of separation, in the Bureau of Forests Development such retirement to take effect as of the date of his separation from office.

Done in the City of Manila, this 2nd day of November, in the year of Our Lord, nineteen hundred and seventy-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) JACOBO C. CLAVE

Presidential Executive Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1977). *[Administrative Nos.: 349 - 438]*. Manila: Malacañang Records Office.

OFFICE OF THE PRESIDENT
MALACAÑANG,
MANILA

ADMINISTRATIVE ORDER NO. 422
PROVIDING GUIDELINES FOR THE REINSTATEMENT OF GOVERNMENT OFFICIALS
AND EMPLOYEES SEPARATED FROM THE SERVICE BY VIRTUE OF THE SEPTEMBER 1975
ORDER OF DISMISSAL

WHEREAS, an Appeals Committee was created to restudy the cases of those separated for cause from the service last September 21, 1975;

WHEREAS, some of those separated were thereafter ordered reinstated;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines by virtue of the power vested in me by law, do hereby establish the following guidelines for adoption by all agencies of the national government, including government-owned or controlled Corporations:

1. In the filling up of vacancies in all agencies, priority should be given to qualified applicants from among employees separated per above and subsequently ordered to be reinstated.
2. Agencies may not fill up present vacant positions comparable to those previously held by their respective former officials and employees separated per above, notwithstanding LOI 565, unless and until reinstatement guidelines herein provided for have been duly complied with.
3. In reinstating an employee, steps should be taken to give the reinstatee the previous position he last held if possible. Otherwise, he should be appointed to at least a comparable position in the organization.
4. In cases where no vacant position exists to accommodate said reinstatees, agencies may propose, chargeable against savings, creation of similar or comparable positions to accommodate them, provided the same shall be based on actual or foreseeable needs of the agencies. Toward this end, for regular government departments and agencies, the Management Office of the Budget Commission should consult the 1978 budgetary recommendations on new positions, for the agency concerned, and accelerate the implementation in 1977 of such recommendations as will provide positions for reinstatees. Positions thus created shall automatically be included in the CY 1978 budget of the agency.
5. All departments, agencies, and other instrumentalities of the Government, including government-owned or controlled corporations, shall submit to the Office of the President, thru the Budget Commission, a report of employees reinstated, their previous and present positions, organizational location and salary being received.

Done in the City of Manila, this 2nd day of November, in the year of Our Lord, nineteen hundred and seventy seven.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **JACOBO C. CLAVE**
Presidential Executive Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1977). [*Administrative Order Nos.: 349 - 438*]. Manila: Malacañang Records Office.

MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 423
CREATING THE SPECIAL RIZAL DAY COMMEMORATION COMMITTEE

I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law and in order to ensure the successful commemoration throughout the Philippines of this year's death anniversary of Dr. Jose P. Rizal on December 30, 1977, do hereby create a special committee to take charge of all arrangements for the activities composed of the following:

Education & Culture Undersecretary Narciso Albarracin	– Chairman
Presidential Assistant on Legal Affairs Ronaldo B. Zamora	– Vice-Chairman
Supreme Court Associate Justice Claudio Teehankee (Supreme Commander, Knights of Rizal)	– Member
Public Works & Communications Undersecretary Aber Canlas	– Member
National Defense Undersecretary Jose Crisol	– Member
Local Governments & Community Development Undersecretary Salvador Socrates	– Member
Tourism Undersecretary Gregorio Araneta II	– Member
Budget Deputy Commissioner Juan Agcaoili	– Member
Mayor Ramon D. Bagatsing, Manila	– Member
National Historical Commission Chairman Esteban de Ocampo	– Member
Director Gregorio Cendaña of National Media Production Center	– Member
Director Larry Cruz, Bureau of National-Foreign Information	– Member
National Parks Development Committee Vice-Chairman Teodoro F. Valencia	– Member
President, Civic Assembly of Women of the Philippines	
Atty. Carolina Basa Salazar	– Member
Presidential Protocol Officer Cristobal Osoteo	– Member-Secretary

The Committee shall meet at the call of the Chairman and, For the purpose of discharging its functions, may create such sub-committees as may be necessary.

The Committee is hereby authorized to call any department, bureau, office, agency or instrumentality of the Government, including government-owned or controlled corporations, for such assistance as it may need in discharging its duties and functions.

Done in the City of Manila, this 3rd day of November, in the year of Our Lord, nineteen hundred and seventy-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) JUAN C. TUVERA
Presidential Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1977). [*Administrative Order Nos.: 349 - 438*]. Manila: Malacañang Records Office.

MALACAÑAN PALACE
MANILA

ADMINISTRATIVE ORDER NO. 424
DISMISSING ANICETO L. DOMINGO FROM THE SERVICE AS CITY TREASURER OF
CABANATUAN CITY.

This is an administrative case against City Treasurer Aniceto L. Domingo of Cabanatuan City for dishonesty, violation of office rules and regulations and incurrence of overdraft.

The records show that reacting to reports of anomalies in the disbursement of City funds by Cabanatuan City between the months of October, 1974 and March, 1975 in payment of allegedly fraudulent claims of certain employees purportedly for reimbursement of transportation expenses in grossly excessive amounts, the Commission on Audit dispatched an audit team in June, 1975 to examine the accounts and financial operations of the City government of Cabanatuan. The Secretary of Finance sent special investigators to look into the same case. On the basis of the reports of the Audit team and the special investigators of the Finance Department Acting Secretary of Finance Pedro M. Almanzor sent the respondent a letter dated January 5, 1976 formally charging him with dishonesty, violation of office regulations and incurrence of overdraft, pertinent portion of which, reads:

“That in or about the period covering October, 1974 to March 1975, in your capacity as City Treasurer and in the performance of your official duty, you did then and there, willfully, unlawfully, in wanton disregard of existing rules and regulations and in connivance with Mr. Ruperto Villamin, Senior Clerk in the Office of the City Auditor of Cabanatuan and Messrs. Reynaldo Diaz, Cecilio Escuadro, Fabian Soriano, Isagani Nolandez, Bonifacio Bernardo, Ernesto Ocampo, Ernesto de Guzman, Roman Mendoza, and Pablo Carpio, all personnel of the public market thereat and Messrs. Arturo Mendoza and Gabriel Nicolas, both laborers of your office performing the duty of Sand and Gravel Checkers, Mr. Regino Antonio, Janitor-Messenger, Mr. Angel Gutay, Administrative Deputy, Mr. Ramon Mateo, Bookkeeper, Mrs. Gloria R. Diaz, Cashier and Mr. Bonifacio Garcia, Assistant Cashier, all of your Office, and confederating with one another, defrauded the City government of Cabanatuan in the amount of ₱115,763.85, more or less, which amount represents disbursements for travelling expenses, making it appear that the said market personnel and laborers actually collected reimbursements for travelling expenses incurred while performing their duties within the city limits of Cabanatuan and that they were actually entitled thereto, while in truth and in fact said market personnel and laborers have not undertaken the alleged trips; that they have not received the full amount covering the same and that they were not entitled to said reimbursements.

“To facilitate the payments of alleged reimbursements of travelling expenses, the vouchers were approved by you even without any evidence of travel and duplicate copies of the vouchers presented; without verifying the existence of funds to cover the same and without coursing the processing of said vouchers through the regular channels. Furthermore, the vouchers were paid in cash although the amounts

involved were more than ₱1,000.00 in violation of Memorandum Circular No. 624 dated Aug. 9, 1973 of the General Auditing Office, now Commission on Audits. As a result of the said disbursements, you incurred fund overdrafts in your C-5-f and C-36-f accounts and at the end of the fiscal year 1974-1975 you have an overdraft in your General Fund in the total amount of ₱150,000.00 more or less.

“Wherefore, you are hereby given five (5) days within which to submit your written answer to the foregoing charges. xxx.”

In the same letter respondent was suspended from office effective immediately upon receipt thereof.

After receipt of respondent's answer denying the charges, a formal investigation was conducted by the Presidential Investigating Committee created under Administrative Order No. 175, series of 1969, as amended. The Committee made the following findings: that all vouchers cover claims for reimbursement of alleged travelling expenses of the market master or market collectors in issuing tickets and collecting stall rentals inside the public market; that the travelling expenses approved by the respondent City Treasurer were grossly excessive or that claimants were not entitled to them considering that market masters and collectors do not travel beyond the confines of the public market in the performance of their functions; that the specific dates or periods of the alleged travels are not indicated on the face of the vouchers; that the required itineraries of travel were not attached to the vouchers; that all vouchers do not bear the signature of the City Auditor or his Assistant on Certificate No. 4 thereof to signify their having been pre-audited; that vouchers covering claims for more than ₱1,000.00 were journalized under A-1-1 account (cash payment) despite existing COA regulation requiring payment in such amount to be in check; that senior clerk Ruperto Villamin who initialed the vouchers for the City Auditor's Office was not authorized to pass in pre-audit the vouchers in question. The Committee, however, declared that respondent's alleged connivance with Villamin who was made to appear as the real culprit and mastermind of the fraud, and the other personnel in the former's office mentioned in the complaint, as well as his incurrence of over-drafts as charged therein, have not been conclusively established.

Based on the aforecited findings the Committee concluded that Domingo was remiss in the discharge of his primary fiscal responsibility as chief fiscal officer of the City when he approved for payment the questioned voucher which were patently irregular on their faces and defectively prepared, and certified to their actual payment under dubious circumstances.

The Committee recommends that respondent be found guilty of violation of office regulations.

After a study of the case, I agree with the findings of the Committee that the charges of connivance and incurrence of overdraft were not substantiated. However, the records of the case shows beyond doubt that respondent was guilty of violation of office regulations and gross neglect of duty. With his more than nineteen (19) years of service in the government, he could have easily discovered and prevented the commission of the anomaly which prejudiced the city government and its people. Evident in the records is the unexplainable and dismal failure of respondent to note the irregularities and errors patent on the face of the vouchers in as many times as the number of the questioned vouchers. In fine, the records eloquently speak of a case of gross negligence on the part of respondent which makes him undesirable. Such conduct of respondent can be considered as having failed to meet the minimum standard of competence and integrity required of officials and employees in the government service.

WHEREFORE, Aniceto L. Domingo, City Treasurer of Cabanatuan City, is hereby dismissed from the service effective upon receipt of this order.

Done in the City of Manila, this 4th day of November, in the year of Our Lord, nineteen hundred and seventy-seven.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **JUAN C. TUVERA**
Presidential Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1977). *[Administrative Order Nos.: 349 - 438]*. Manila: Malacañang Records Office.

MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 425
IN RE ADMINISTRATIVE CASE AGAINST FORMER CITY TREASURER JORGE G. ELARDO
OF DUMAGUETE CITY.

This is an administrative case against City Treasurer Jorge G. Elardo of Dumaguete City, since retired, filed by Saturnino V. Maquiling et al. for economic sabotage, maladministration and abuse of authority for having allegedly connived with the City Council of Dumaguete City in allowing the lessee of the vacant space of the second floor of the city public market to convert the same into a movie house. The case was investigated by the Presidential Investigating Committee (PIC) created under Administrative Order No. 175 dated July 14, 1969, as amended.

It appears that on May 17, 1971, the City of Dumaguete obtained a real estate loan of ₱400,000 from the Government Service Insurance System (GSIS) to finance the construction of its city central market; that due to the lack of interest of vendors to occupy the vacant space in the second floor of the market, the city council passed Resolution No. 203 dated July 3, 1974, authorizing the city mayor to enter into a contract of lease to the highest bidder; that after bidding, or on August 27, 1974, a contract of lease was entered into by and between the City of Dumaguete and winning bidder Enrique F. Sy over the second floor for an annual rental of ₱10,000 for 15 years and renewable for another 10 years at the option of the parties with a stipulation that the lessee shall construct permanent improvements on the leased premises in the amount of not less than ₱300,000 which improvements shall become city property after the expiration of the 15-year period; and that the lessee subsequently converted the leased premises into a movie house.

In his answer respondent alleges that he is innocent of the charges and submitted evidence consisting of, among others, certified copies of (a) notice of lease of the premises pursuant to Resolution No. 203 of the City Council of Dumaguete City dated July 3, 1974, "calling for invitation to bid stipulating guidelines and requirements," (b) minutes of the Committee on Public Bidding in connection with the opening of bids, (c) letter of Enrique F. Sy dated August 12, 1974 submitting his bid at ₱10,000 per annum together with the proposal bond, (d) action of the committee dated August 22, 1974, recommending to the city council, through the city mayor, that a formal contract be drawn between the city government and the winning bidder, Enrique F. Sy, and (e) Resolution No. 285 of the city council dated September 26, 1974, ratifying the contract of lease; that complainants filed the same charges against the city mayor, the members of the city council and the city fiscal who were all exonerated therefrom by their respective department heads; that Cecilio V. Maguiling, one of the complainants and brother of Saturnino V. Maguiling, who participated in the public bidding but was disqualified for failure to submit the required proposal bond, was present during the opening of the bids; and that the leasing of the premises redounded to the benefit of the city government which generated an income of ₱11,000 in rental fees and an amusement tax of around ₱120,000 derived from the lease in question.

While I am satisfied, after going over the records of the case, with the Investigating Committee's taking official cognizance of the fact that the decision to lease the second floor of the city market was

made after 13 years of wasted time and effort to entice the public to put up stores therein, coupled by necessity of raising funds to defray the amortization to the GSIS, nonetheless, I agree with its findings and recommendation that respondent was remiss in the performance of his duties as market administrator as mandated by Section 30(g) of Presidential Decree No. 231, otherwise known as the Local Tax Code, as amended, for not having interposed any objection whatsoever to the aforesaid Resolution No. 285 of the city council approving the conversion of the leased premises into a movie house in violation of one of the stipulations of the contract entered into by and between the City of Dumaguete and the GSIS and that he should be fined in an amount equivalent to one (1) month's salary.

Wherefore, and as recommended by the Investigating Committee, former City Treasurer Jorge G. Elardo is hereby fined in an amount equivalent to one month's salary to be deducted from his leave and retirement benefits, if any.

Done in the City of Manila, this 1st day of December, in the year of Our Lord, nineteen hundred and seventy-seven.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **JACOBO C. CLAVE**
Presidential Executive Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1977). *[Administrative Order Nos.: 349 - 438]*. Manila: Malacañang Records Office.

MALACAÑANG

RESIDENCE OF THE PRESIDENT
OF THE PHILIPPINES
MANILA

ADMINISTRATIVE ORDER NO. 426

REINSTATING MR. FRANCISCO A. TAN, JR. AS REGIONAL DIRECTOR BUREAU OF
FISHERIES AND AQUATIC RESOURCES, DEPARTMENT OF NATURAL RESOURCES.

Upon recommendation of the Special Committee created under Administrative Order No. 371, series of 1975, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order the immediate reinstatement of Mr. FRANCISCO A. TAN, JR. as Regional Director, Bureau of Fisheries and Aquatic Resources, Department of Natural Resources, effective as of the date of his separation from office.

Done in the City of Manila, this 27th day of December, in the year of Our Lord, nineteen hundred and seventy-seven.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:
(Sgd.) JACOBO C. CLAVE
Presidential Executive Assistant

Source: **Presidential Museum and Library**

Office of the President of the Philippines. (1977). *Supplement to the Official Gazette of the Republic of the Philippines*. Manila: Government Printing Office, 74(3), 454-1.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 427
**AMENDING THE MEMORANDUM DATED MARCH 16, 1976 CREATING AN INTER-
AGENCY COMMITTEE FOR THE DEVELOPMENT OF THE CHICO RIVER PROJECT.**

The Memorandum of March 16, 1976 creating an inter-agency committee for the development of the Chico River Project is hereby amended to include the following Departments and Agencies in addition to the original members:

The Secretary of Public Works, Transportation and Communications
The Secretary of Social Services and Development
The Secretary of Education and Culture
The Secretary of National Defense
The Secretary of Local Governments and Community Development
The Secretary of Health
The Secretary of Public Information
The Commissioner of the Budget
The Chairman, Commission on Audit
The Director-General, National Economic Development Authority
The Chairman, Human Settlements Commission
The Administrator, National Electrification Administration
The Administrator, Kalinga Special Development Region

The above-mentioned departments and agencies shall likewise extend their resources, facilities and manpower in pursuance of the development of the project in collaboration with the Presidential Assistant on National Minorities and with other member agencies of the Committee. The new members shall also bear with the original members the costs of development involved in this project, as well as subsequent relocation projects, to the extent of their respective participation, to be funded out of their surplus funds and or savings until such costs are incorporated in their regular budgetary outlays.

The Committee shall promulgate its rules and regulations and shall have the authority to call upon any department, bureau or instrumentality of the government not mentioned in this memorandum, as well as the private sector, for any assistance that may be required in the performance of its task.

The Budget Commission shall see to it that all the financial requirements of the project as determined by the Committee are properly supported and shall release the funds of the Member Agencies concerned pursuant to and in accordance with the procedures set forth by the Committee.

Done in the City of Manila, this 10th day of January, in the year of Our Lord, nineteen hundred and seventy-eight.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **JACOBO C. CLAVE**
Presidential Executive Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1978). *[Administrative Order Nos.: 349 - 438]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 428

**CREATING AN EXECUTIVE COMMITTEE TO TAKE CHARGE OF THE PLANNING AND
EXECUTION OF COMMEMORATIVE ACTIVITIES FOR THE 36TH ANNIVERSARY OF THE
FALL OF BATAAN AND THE FALL OF CORREGIDOR.**

WHEREAS, the Fall of Bataan and the Fall of Corregidor are historic milestones in our nationhood; and

WHEREAS, it is deemed fitting and proper to commemorate these historic events with appropriate activities and/or ceremonies in order to impress our people as well as the rest of the world of the valor and sacrifices of those who fought and died during the epic struggle for freedom and democracy, and of the transcending significance of such struggle in our national development and aspirations;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby constitute and create an Executive Committee to formulate plans and devise ways and means for the successful execution of appropriate activities and/or ceremonies for the commemoration of the 36th anniversary of the Fall of Bataan and the Fall of Corregidor. The Committee shall be composed of the following:

The Undersecretary for Civilian Relations		
Department of National Defense	–	Chairman
The Undersecretary of Tourism		
Department of Tourism	–	Co-Chairman
The Deputy Chief of Staff		
Armed Forces of the Philippines	–	Vice-Chairman
The Administrator		
Philippine Veterans Affairs Office	–	Member
The General Manager		
Philippine Tourism Authority	–	Member
The Commanding General		
Philippine Army	–	Member
The Flag-Officer-In-Command		
Philippine Navy	–	Member
The Executive Vice-President		
Veterans Federation of the Philippines	–	Member
The Special Assistant on Veterans Affairs		
Department of National Defense	–	Member
The Chairman		
National Historical Institute	–	Member
The Director		
National Media Production Center	–	Member

The Director		
Bureau of Public Works	–	Member
The National Commander		
Kabataang Barangay National Secretariat	–	Member
The Chief, Office for Civil Relations, AFP	–	Member
The Acting Chief		
Military Shrines Services, PVAO	–	Member/Secretary

The Committee may request any department, bureau, office, agency or instrumentality of the government for such assistance as it may need, and to create such committee, sub-committee or staffs as may be necessary.

Done in the City of Manila, this 24th day of February, in the year of Our Lord, nineteen hundred and seventy-eight.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **JUAN C. TUVERA**
Presidential Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1978). *[Administrative Order Nos.: 349 - 438]*. Manila: Malacañang Records Office.

MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 429

TO : All Government Officials Concerned
SUBJECT: United Nations Regional Preparatory Meeting for Asia and Pacific Regions on Crime Prevention and Treatment of Offenders

In view of the relevance of the subject of the meeting to our present development efforts especially in the field of peace and order, you are hereby authorized to participate in the said meeting to be held at the Philippine International Convention Center on May 15 to 20, 1978.

The participants shall be allowed to attend on official time, as well as reasonable expenses for transportation chargeable against the appropriation of their respective offices, subject to the availability of funds and the usual accounting and auditing requirements.

This Administrative Order shall take effect immediately.

Done in the City of Manila, this 14th day of April, in the year of Our Lord, Nineteen Hundred and Seventy-Eight.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President
(Sgd.) **JACOBO C. CLAVE**
Presidential Executive Assistant

Source: Malacañang Records Office

Office of the President of the Philippines. (1978). *[Administrative Order Nos.: 349 - 438]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

ADMINISTRATIVE ORDER NO. 430

AMENDING FURTHER MEMORANDUM DATED MARCH 16, 1976, AS AMENDED,
CREATING AN INTER-AGENCY COMMITTEE FOR THE DEVELOPMENT OF THE CHICO
RIVER PROJECT.

The Memorandum of March 16, 1976 creating an inter-agency committee for the development of the Chico River Project, as amended by Administrative Order No. 427 dated January 10, 1978, is further amended to include the Minister of Energy as member who hereafter shall exercise the powers to coordinate the respective activities of the agencies herein involved and to monitor the progress of the combined efforts to the President periodically.

The Minister of PANAMIN being the previous coordinator in the development of the Chico River Project and having the responsibility to take care of the welfare and interests of the cultural minority group shall extend its resources and facilities in the relocation of the displaced natives to suitable relocation sites.

The President of the National Power Corporation shall replace the former General Manager of said Corporation in the inter-agency committee.

Done in the City of Manila, this 28th day of September, in the year of Our Lord, nineteen hundred seventy eight.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) JUAN C. TUVERA
Presidential Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1978). [*Administrative Order Nos.: 349 - 438*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 431
AUTHORIZING GOVERNMENT PARTICIPATION IN THE 11TH ASIAN ADVERTISING
CONGRESS ON NOVEMBER 15 TO 18, 1978.

WHEREAS, the Philippines will be the host country for the 11th Asian Advertising Congress and the inauguration of the Asian Federation of Advertising Associations to be held on November 15 to 18, 1978;

WHEREAS, in view of the foregoing, Proclamation No. 1710 was issued on February 7 1978 declaring 1978 as the Year of Development Advertising and Communications;

WHEREAS, the concept of developmental advertising and communication is to put modern media of communications at the service of development for attaining total human development, leading to social and economic growth;

WHEREAS, the holding of the 11th Asian Advertising Congress in Manila will put the Philippines in the international limelight among all advertising and communications practitioners and contribute to the furtherance of the role of the Philippines as the leader of development communication and catalyst of regional cooperation;

WHEREAS, the holding of the said Congress will help project the progress attained by the country's national development efforts, promote our tourism program and foster better trade relations with other countries;

WHEREAS, the whole country stands to gain from the sharing of technology and expertise in developmental advertising and the communication arts during the said Congress; and

WHEREAS, in view of the overall benefits that will be derived from the 11th Asian Advertising Congress, it is necessary that the Philippine government participate actively in its program and activities;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby authorize government participation in the 11th Asian Advertising Congress and for this purpose direct as follows:

1. A Government Steering Committee shall be organized to plan, direct, coordinate and/or itself pursue the work to set up the systems and procedures for the successful participation of the government in the 11th Asian Advertising Congress.

The Steering Committee shall be composed of the following officials or their authorized representatives:

Minister of Public Information	Chairman
Minister of Foreign Affairs	Member
Minister of Tourism	Member
Minister of Trade	Member
Minister of Natural Resources.....	Member

Minister of Agriculture	Member
Minister of National Defense	Member
Minister of Industry	Member
Minister of Finance	Member
Governor of the Central Bank	Member
Chairman, Development Bank of the Philippines	Member

2. The Committee may call on any ministry, bureau, agency or office or instrumentality of the government for such assistance as it may need in the performance of its task.

Done in the City of Manila, this 9th day of October, in the year of Our Lord, nineteen hundred and seventy-eight.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **JUAN C. TUVERA**
Presidential Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1978). [*Administrative Order Nos.: 349 - 438*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

ADMINISTRATIVE ORDER NO. 432

ORDERING THE REINSTATEMENT WITH PROPER PENALTY OF MR. LAMBERTO ALMEDA
AS CHIEF OF THE INTELLIGENCE DIVISION, COMMISSION ON IMMIGRATION AND
DEPORTATION.

WHEREAS, Mr. Lamberto Almeda was among the 2,000 officials and employees ordered separated from the service in September, 1975; and

WHEREAS, the Commissioner of Immigration and Deportation has certified in his letter dated December 4, 1975 to the Appeals Committee created under Administrative Order No. 370, series of 1975, that there are no charges filed on record with the Commission against Mr. Almeda, whether criminal or administrative.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order the immediate reinstatement of Mr. Lamberto Almeda as Chief of the Intelligence Division, Commission on Immigration and Deportation provided that during the period from the date of his separation from the service up to his reinstatement in accordance with this Order, he shall be considered under suspension without pay.

Done in the City of Manila, this 16th day of October, in the year of Our Lord, nineteen hundred and seventy-eight.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) JACOBO C. CLAVE
Presidential Executive Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1978). *[Administrative Order Nos.: 349 - 438]*. Manila: Malacañang Records Office.

MALACAÑAN PALACE
MANILA

ADMINISTRATIVE ORDER NO. 433

FURTHER AMENDING ADMINISTRATIVE ORDER NO. 350 DATED FEBRUARY 2, 1973,
AS AMENDED BY ADMINISTRATIVE ORDER NO. 407 DATED JULY 1, 1977

Pursuant to the powers vested in me by the Constitution and Presidential Decree No. 124, as revised by Presidential Decree No. 1182, and as amended by Presidential Decree No. 1429, I, FERDINAND E. MARCOS, President of the Republic of the Philippines, do hereby further amend Administrative Order No. 350, dated February 2, 1973, as amended by Administrative Order No. 407, dated July 1, 1977, with respect to the composition of the Second and Third Amnesty Commissions created thereunder by designating herein the Commander of PC Regional No. VII and the Commander of PC Regional Command No. XI, as the Chairmen, respectively, of the aforesaid Amnesty Commissions, and further, by designating herein the Provincial Fiscals of Cebu and Negros Occidental as members of the Second Amnesty Commission and the Provincial Fiscals of South Cotabato and Sultan Kudarat as members of the Third Amnesty Commission.

This Order shall take effect immediately.

DONE in the City of Manila, this 9th day of November, in the year of Our Lord, 1978.

(Sgd.) FERDINAND E. MARCOS

Source: **Presidential Museum and Library**

Marcos, F. E. (1978). Administrative Order No. 433: Further amending Administrative Order No. 350 dated February 2, 1973, as amended by Administrative Order No. 407 dated July 1, 1977. *Official Gazette of the Republic of the Philippines*.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 434
CREATING THE SPECIAL RIZAL DAY COMMEMORATION COMMITTEE

I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law and in order to ensure the successful commemoration throughout the Philippines of this year's death anniversary of Dr. Jose P. Rizal on December 30, 1978, do hereby create a special committee to take charge of all arrangements for the activities composed of the following:

Deputy Minister of Education & Culture Narciso Albarracin	–	Chairman
Deputy Minister of National Defense Jose Crisol	–	Vice-Chairman
Supreme Court Associate Justice Claudio Teehankee (Supreme Commander, Knights of Rizal)	–	Member
Deputy Minister of Public Works & Communications Aber P. Canlas	–	Member
Deputy Minister of Trade Vicente Valdepeñas	–	Member
Deputy Minister of Local Governments & Community Development Salvador Socrates	–	Member
Deputy Minister of Tourism Gregorio Araneta II	–	Member
Budget Deputy Commissioner Juan S. Agcaoili	–	Member
Mayor Ramon D. Bagatsing, Manila	–	Member
National Historical Institute Chairman Esteban de Ocampo	–	Member
National Media Production Center Director Gregorio Cendaña	–	Member
Bureau of National & Foreign Information Director Lorenzo Cruz	–	Member
Commission on the Role of Women of the Philippines Leticia P. de Guzman	–	Member
Civic Assembly of Women of the Philippines President Carolina Basa Salazar	–	Member
National Parks Development Committee Vice-Chairman Teodoro F. Valencia	–	Member
Presidential Protocol Officer Cristobal Osoteo	–	Member-Secretary

The Committee shall meet at the call of the Chairman and, for the purpose of discharging its functions, may create such sub-committees as may be necessary.

The Committee is hereby authorized to call any department, bureau, office, agency or instrumentality of the Government, including government-owned or controlled corporations, for such assistance as it may need in discharging its duties and functions.

Done in the City of Manila, this 28th day of November, in the year of Our Lord, nineteen hundred and seventy-eight.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **JUAN C. TUVERA**
Presidential Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1978). [*Administrative Order Nos.: 349 - 438*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 435

**CREATING AN ARBITRATION COMMITTEE TO SETTLE THE CONFLICTING MINING
CLAIMS OF ATLAS CONSOLIDATED MINING AND DEVELOPMENT CORPORATION AND
MALAYAN INTEGRATED INDUSTRIAL CORPORATION**

WHEREAS, it has come to my knowledge that the Malayan Integrated Industrial Corporation has filed several mining claims which are likewise claimed by the Atlas Consolidated Mining and Development Corporation;

WHEREAS, it has been verified that the Atlas Consolidated Mining and Development Corporation has extended its mining operations over areas not covered by its lease; and

WHEREAS, in order to cut-short the procedural aspect of conducting the investigation of these conflicting claims, it will be to the best interest of the parties that an arbitration committee be formed to arbitrate and explore the possibility of an amicable settlement and provide the mechanics therefor for the resolution of their conflicting claims.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President and Prime Minister of the Philippines, by virtue of the powers vested in me by law, do hereby create an arbitration committee to explore the possibility of an amicable settlement and provide the mechanics therefor for the resolution of the conflict between the Atlas Consolidated Mining and Development Corporation and Malayan Integrated Industrial Corporation. The Committee shall be composed of the following:

1. Atty. Genaro A. Eslava
Technical Assistant, OIC, Legal Office
Office of the Prime Minister Chairman
2. Atty. Lorna C. de la Fuente
Chief State Counsel and Assistant
Secretary, Department of Justice Member
3. Atty. Vicente A. Galang
Assistant Presidential Staff Director
Office of the Prime Minister Member
4. Mr. Benjamin Gozon
Atlas Consolidated Mining and Development Corporation Member
5. Atty. Godofredo V. Señirez, Jr.
Malayan Integrated Industrial Corporation Member

The Committee is authorized to inspect the area of operation of the Atlas Consolidated Mining and Development Corporation to determine for itself the extent of the alleged encroachment of Atlas over areas not covered by its lease. In the performance of its duties, the Committee may avail of the technical services of the Bureau of Mines.

The Committee shall finish its task and submit a report of its findings and recommendation to the President within sixty (60) days from the date of issuance of this Order.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

Done in the City of Manila, this 3rd day of December, in the year of Our Lord, nineteen hundred and seventy-eight.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **JUAN C. TUVERA**
Presidential Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1978). [*Administrative Order Nos.: 349 - 438*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 436

REPRIMANDING ASSISTANT CITY FISCAL PASTOR DE GUZMAN, JR. AND EXONERATING CITY FISCAL (NOW CFI JUDGE) ANGEL SANGALANG AND ASSISTANT CITY FISCAL (NOW CITY FISCAL) ERDOLFO BALAJADIA, ALL OF BAGUIO CITY.

This is an administrative case filed by Mrs. Teresita Pike against Assistant Baguio City Fiscal Pastor de Guzman, Jr. and former Baguio City Fiscal (now CFI Judge of Benguet) Angel Sangalang and former Assistant City Fiscal (now Baguio City Fiscal) Erdolfo Balajadia for alleged abuse of authority violation of due process, harassment, ignorance of the law and willful violation of existing rules and regulations. The charges were investigated by the Department (now Ministry) of Justice.

Records show that sometime in November 1975, a police officer of the Baguio City Police Department filed a complaint against herein complainant for assault upon an agent of a person in authority. Without first securing the approval of the city fiscal, respondent Assistant City Fiscal De Guzman, Jr. filed the corresponding information with the City Court of Baguio.

Complainant successfully sought a reinvestigation of the case by trial fiscal Gorospe who recommended that complainant be merely charged with simple resistance under Article 151, paragraph 2 of the Revised Penal Code. Upon approval thereof by respondent City Fiscal Sangalang, the corresponding information was filed with the City Court of Baguio which dismissed the same upon complainant's motion on the ground of prescription.

Not satisfied, the police officer protested the dismissal of the case and simultaneously charged Fiscal Gorospe with serious irregularities in the performance of duties before City Fiscal Sangalang who, in turn, referred the matter to Assistant City Fiscal Balajadia. On the basis of the pertinent papers thus presented, Balajadia recommended the filing of another information against herein complainant for serious resistance and disobedience, which was approved by City Fiscal Sangalang. Accordingly, the corresponding information was filed with the City Court of Baguio but the accused (herein complainant) was subsequently acquitted by the court.

After a review of the case, I agree with the Secretary (now Minister) of Justice that respondent Assistant Fiscal De Guzman, Jr. violated Presidential Decree No. 911, dated March 23, 1976, when he failed to secure the prior approval of the city fiscal in filing the initial information against herein complainant for assault upon an agent of a person in authority. Presidential Decree No. 911 clearly provides that "... no assistant fiscal or state prosecutor may file an information or dismiss a case except with prior approval of the provincial or city fiscal or chief state prosecutor."

Concerning the other two respondent fiscals Sangalang and Balajadia, I likewise concur in the findings of the Minister of Justice that they neither abused their authority nor violated due process in filing the subsequent information for serious resistance and disobedience against complainant without conducting preliminary investigation, it appearing that they had thoroughly studied the matter on the basis of the recommendation and report on the case. Moreover, preliminary investigation is not a matter of right for a person accused in inferior courts (Rule 112, Sec. 10, Rules of Court).

Wherefore, and as recommended, Assistant City Fiscal Pastor de Guzman, Jr. of Baguio City is hereby reprimanded and warned that repetition of the same offense will be dealt with severely, while City Fiscal Angel Sangalang and Assistant City Fiscal Erdolfo Balajadia are hereby exonerated from the charges against them.

Done in the City of Manila, this 23rd day of January, in the year of Our Lord, nineteen hundred and seventy-nine.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **JACOBO C. CLAVE**
Presidential Executive Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1979). [*Administrative Order Nos.: 349 - 438*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 437

**CREATING AN EXECUTIVE COMMITTEE TO TAKE CHARGE OF THE PLANNING AND
EXECUTION OF COMMEMORATIVE ACTIVITIES FOR THE 37TH ANNIVERSARY OF THE
FALL OF BATAAN AND THE FALL OF CORREGIDOR.**

WHEREAS, the Fall of Bataan and the Fall of Corregidor are historic milestones in our nationhood;

WHEREAS, it is deemed fitting and proper to commemorate these historic events with appropriate activities and/or ceremonies in order to impress our people as well as the rest of the world of the valor and sacrifices of those who fought and died during the epic struggle for freedom and democracy, and of the transcending significance of such struggle in our national development and aspirations;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby constitute and create an Executive Committee to formulate plans and devise ways and means for the successful execution of appropriate activities and/or ceremonies for the commemoration of the 37th anniversary of the Fall of Bataan and the Fall of Corregidor. The Committee shall be composed of the following:

The Deputy Minister for Civilian Relations Ministry of National Defense	– Chairman
The Deputy of Minister of Tourism Ministry of Tourism	– Co-Chairman
The Deputy Chief of Staff Armed Forces of the Philippines	– Vice-Chairman
The Administrator Philippine Veterans Affairs Office	– Member
The General Manager Philippine Tourism Authority	– Member
The Commanding General Philippine Army	– Member
The Flag Officer-In-Command Philippine Navy	– Member
The Executive Vice-President Veterans Federation of the Philippines	– Member
The Special Assistant on Veterans Affairs Ministry of National Defense	– Member
The Chairman National Historic Institute	– Member

The Director	–	Member
National Media Production Center		
The Director	–	Member
Bureau of Public Works		
The National Commander	–	Member
Defenders of Bataan and Corregidor		
The Chief, Civil Relations Service, AFP	–	Member
The Acting Chief	–	Member/Secretary
Military Shrines Service, PVAO		

The Committee may request any ministry, bureau, office, agency or instrumentality of the government for such assistance as it may need, and to create such committee, sub-committee or staffs as may be necessary.

Done in the City of Manila, this 15th day of March, in the year of Our Lord, nineteen hundred and seventy nine.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **JACOBO C. CLAVE**
Presidential Executive Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1979). *[Administrative Order Nos.: 349 - 438]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

ADMINISTRATIVE ORDER NO. 438
REINSTATING FORMER PROVINCIAL FISCAL JOSE M. AGUILA OF OCCIDENTAL
MINDORO TO HIS FORMER POSITION.

This refers to the appeal of former Provincial Fiscal Jose M. Aguila of Occidental Mindoro for reconsideration of the acceptance of his resignation on August 5, 1976.

It appears that charges were filed against Fiscal Aguila, herein petitioner, by Mayor Juan Santos of San Jose, Occidental Mindoro, before the Judge Advocate General's Office (JAGO) and the Department of Justice way back in 1972 for (1) usurpation and interference in the functions of the Mayor; (2) extortion; (3) that he has a pending administrative case; and (4) negligence in the filing of the necessary informations in cases lodged before his office. The gravity of the nature of the offenses charged prompted the acceptance by the President of his courtesy resignation on June 19, 1973, the first of two instances that his resignation was accepted. In the meantime the administrative investigation against petitioner proceeded. On November 7, 1973, the JAGO cleared him from said charges and also commended him for assisting some eighty (80) families then being ejected by Mayor Santos. He was also exonerated by the Department of Justice from the same charges filed by Mayor Santos.

As a result of his exoneration from the charges, the President returned him to the service as Provincial Fiscal by reappointing him on November 27, 1973, in the course of which service he received a "scroll of honor and distinction" from the Biographical Researchers Society of the Philippines as one of the ten (10) Most Outstanding Fiscals in the Philippines in 1974.

In 1975, Mayor Santos revived the charges against petitioner, his charges being of similar nature as those originally filed. This time the charges were filed in the Complaints and Investigation Office (CIO), Malacañang. The same was later referred to the Department of Justice on October 20, 1975. While the investigation relative to the charges was in progress, the President accepted, for the second time, petitioner's resignation on August 5, 1976. From this, petitioner filed on August 17, 1976, his request for reconsideration with this Office.

In his petition for reconsideration, petitioner supplied the background why Mayor Santos revived the charges against him which led to the acceptance for the second time of his resignation. According to petitioner, the actuations of Mayor Santos in harassing petitioner was precipitated by the filing of anti-graft charges against said Mayor by the Fiscal's office where petitioner was the chief, being then the Provincial Fiscal. Said anti-graft charges against the Mayor stemmed from the charges filed with the Department of Justice by three (3) councilors of San Jose (where Mayor Santos was mayor) accusing the Mayor with demanding and collecting from Miss Bigalbal \$400 on May 22, 1975, in consideration of a promise by Mayor Santos of a grant to them of lots in the proposed reclamation area at Mangarin Bay, San Jose, Occidental Mindoro, receipts for which amounts were signed by Mayor Santos himself. Said complaint of the three councilors was indorsed to petitioner by the Chief State Prosecutor for ex-parte study, pursuant which petitioner submitted a report on the case informing the Secretary of Justice that probable cause for instituting anti-graft charges existed against the Mayor. Thereafter, the Undersecretary of Justice directed petitioner to conduct a preliminary investigation of the complaint against Mayor Santos. On April 27, 1976, the Special Counsel assigned to the case resolved to recommend the filing of two anti-graft charges against Mayor Santos, which was approved

by petitioner. Thereafter, Criminal Cases Nos. 797 and 798 were filed by petitioner against Mayor Santos before the Court of First Instance of Occidental Mindoro.

Petitioner points out further that the affidavits of complainants and their witnesses submitted by the Mayor in support of his revived charges at CIO, this Office, were the same affidavits earlier passed upon by the JAGO and the Department of Justice which have already cleared petitioner of said charges.

There are no other cases pending against petitioner.

The charges filed against petitioner before the CIO, which precipitated the acceptance, for the second time, of his courtesy resignation were practically the same charges earlier decided by the JAGO and the Department of Justice which have already cleared and exonerated him on the same by finding no factual and legal basis for probable cause against petitioner. Moreover, this Office returned him to the service after the first filing of the same charges.

Furthermore, it is understandable why Mayor Santos should revive old charges against petitioner, the latter having been instrumental, as Provincial Fiscal, in the filing of anti-graft charges against the Mayor.

There is thus merit in the instant appeal.

In view of the foregoing, petitioner Jose Aguila is hereby reinstated to his former position as Provincial Fiscal, Occidental Mindoro, effective immediately.

Done in the City of Manila, Philippines, this 21st day of March, in the year of Our Lord nineteen hundred and seventy-nine.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:
(Sgd.) JACOBO C. CLAVE
Presidential Executive Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1979). [*Administrative Order Nos.: 349 - 438*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 439
CREATING A COUNCIL OF ADVISERS FOR THE 8TH INTERNATIONAL TRAINING AND
DEVELOPMENT CONFERENCE TO BE HOSTED BY THE PHILIPPINES ON
NOVEMBER 7 TO 12, 1979

WHEREAS, the Republic of the Philippines has been chosen as the site of the 8th International Training and Development Conference scheduled on November 7-12, 1979, under the auspices of the Philippine Society for Training and Development (PSTD), the Asian Regional Training and Development Organization (ARTDO), and the International Federation of Training and Development Organizations (IFTDO);

WHEREAS, this world forum on human resources planning and development (HRPD) will not only contribute to the country's efforts to promote our tourist industry, add prestige and honor to the Philippines, but also will project our country as the focal point of human resources planning and development in Asia; and

WHEREAS, a Council of Advisers is necessary for the successful hosting of the Conference;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers in me vested by law, do hereby created a Council of Advisers to the 8th International Training and Development Conference scheduled on November 7-12, 1979, composed of the following:

- | | | |
|---|---|------------------|
| 1. The First Lady and Minister of Human Settlements | – | Chairperson |
| 2. The Minister of Labor | – | Vice Chairperson |
| 3. The Minister of Education and Culture | – | Vice Chairperson |
| 4. The Minister of Foreign Affairs | – | Member |
| 5. The Minister of Tourism | – | Member |
| 6. The Presidential Executive Assistant | – | Member |
| 7. The Director-General National Intelligence and
Security Authority | – | Member |

The Council shall provide advice, counsel, and coordinating assistance to an inter-agency task force to be created by the organizers of the 8th International Training and Development Conference.

The Council may call upon the hands of ministries, bureaus, offices, and financial institutions for such assistance as it may need in the accomplishment of its mission.

DONE in the City of Manila, this 26th day of April, in the year of Our Lord, nineteen hundred and seventy-nine.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **JACOBO C. CLAVE**
Presidential Executive Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1979). *[Administrative Order Nos.: 439 - 504]*. Manila: Malacañang Records Office.

MALACANANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 440
LIFTING THE PREVENTIVE SUSPENSION OF MAYOR ALFONSO TAN, JR. OF TANGUB CITY.

This refers to the request for the lifting of the preventive suspension of Mayor Alfonso Tan, Jr. of Tangub City.

On January 31, 1979, Mayor Alfonso Tan, Jr. of Tangub City, together with City Fiscal Jose Velono, were preventively suspended from office on the basis of the report that he was using his office to harass witnesses in connection with the malpractices and anti-graft cases filed against him by the Kabataang Barangay Chairman thereat.

An investigation was conducted, including that of the National Bureau of Investigation and Director Jolly Bugarin submitted his report stating that “no sufficient evidence has been gathered to warrant subject’s (Mayor Alfonso Tan) prosecution for any crime.” Similarly, there is not enough is not enough evidence to establish the charges of harassment against Fiscal Jose Velono.” On the case of Fiscal Velono, the NBI reported to the Acting Minister of Justice, stating that “no sufficient evidence of harassment was gathered against Fiscal Jose R. Velono.” The Acting Minister of Justice then recommended to this Office the lifting of the preventive suspension of Fiscal Velono. This Office has given due course to the recommendation.

In view of the foregoing, the order preventively suspending Mayor Alfonso Tan, Jr. of Tangub City from office is hereby lifted. He is, however, hereby admonished to be more discreet in the performance of his duties in order to forestall the filing of similar charges against him in the future.

DONE in the City of Manila, this 3rd day of August, in the year of Our Lord, nineteen hundred and seventy-nine.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **JACOBO C. CLAVE**
Presidential Executive Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1979). [Administrative Order Nos.: 439 - 504]. Manila: Malacañang Records Office.

MALACANAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 441
CREATING AN ADVISORY COUNCIL IN THE PROVINCE OF CAVITE.

WHEREAS, there is an imperative need to accelerate the development of the Province of Cavite, in view of its proximity to Metropolitan Manila, the country's capital region and business center; and

WHEREAS, in pursuance of this objective, it is necessary to create a body that shall advise and assist the governor of the province in formulating programs and policies consonant with the developmental goals of the Government.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby create an advisory council in the Province of Cavite to be composed of the following:

Minister Cesar A. Virata	—	Chairman
Minister Vicente T. Paterno	—	Member
Minister Geronimo Z. Velasco	—	"
Minister Jose J. Leido, Jr.	—	"
Minister Jose A. Roño	—	"
Deputy Minister Alfredo de Roda	—	"
Deputy Minister Rosendo Marquez	—	"
Assemblywoman Helena Z. Benitez	—	"
Assemblyman Jorge A. Nuñez	—	"
Assemblyman Rogelio Peyuan	—	"
The Chairman, Mayors League of Cavite	—	"
The Provincial Commander of Cavite	—	"

The council may call upon any ministry, bureau, office, agency or instrumentality of the Government for such assistance as it may need in the performance of its functions.

Done in the City of Manila, this 19th day of October, in the year of Our Lord, nineteen hundred and seventy-nine.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **JACOBO C. CLAVE**
Presidential Executive Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1979). *[Administrative Order Nos.: 439 - 504]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 442
CREATING THE SPECIAL RIZAL DAY COMMEMORATION COMMITTEE

I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law and in order to ensure the successful commemoration throughout the Philippines of this year's death anniversary of Dr. Jose P. Rizal on December 30, 1979, to hereby create a special committee to take charge of all arrangements for the activities composed of the following:

Minister Onofre D. Corpuz of Education and Culture - - - - -	Chairman
Deputy Minister Jose M. Crisol of National Defense - - - - -	Vice-Chairman
Supreme Court Associate Justice Claudio Teehankee (Supreme Commander, Knights of Rizal) - - - - -	Member
Deputy Minister Aber P. Canlas of Public Works - - - - -	Member
Deputy Minister Vicente B. Valdepeñas, Jr. of Trade - - - - -	Member
Deputy Minister Salvador P. Socrates of Local Governments and Community Development - - - - -	Member
Deputy Minister Gregorio Araneta II of Tourism - - - - -	Member
Budget Deputy Minister Manuel S. Alba - - - - -	Member
Mayor Ramon D. Bagatsing, Manila - - - - -	Member
National Historical Institute Chairman Esteban de Ocampo - - - - -	Member
National Media Production Center Director Gregorio Cendaña - - -	Member
Bureau of National and Foreign Information Director Lorenzo Cruz - - - - -	Member
National Commission on the Role of Filipino Women Executive Director Leticia P. de Guzman - - - - -	Member
Civic Assembly of Women of the Philippines President Carolina Basa Salazar - - - - -	Member
National Parks Development Committee Vice-Chairman Teodoro F. Valencia - - - - -	Member
Presidential Protocol Officer Cristobal Osoteo - - - - -	Member-Secretary

The Committee shall meet at the call of the Chairman and for the purpose, of discharging its functions, may create such sub-committees as may be necessary.

The Committee is hereby authorized to call upon any ministry, bureau, office, agency or instrumentality of the Government including government-owned or controlled corporations, for such assistance as it may need in discharging its duties and functions.

Done in the City of Manila, this 19th day of November, in the year of Our Lord, nineteen hundred and seventy-nine.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **JUAN C. TUVERA**
Presidential Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1979). *[Administrative Order Nos.: 439 - 504]*. Manila: Malacañang Records Office.

MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 443
DISMISSING CIRIACO JABIDO AS PROVINCIAL TREASURER OF SOUTH COTABATO.

This is an administrative case against Ciriaco Jabido, Provincial Treasurer of South Cotabato, arising from three complaints filed by Koronadal Municipal Treasurer Pedro F. Gandia, on May 16, 1975; Koronadal Municipal Mayor Gerardo T. Calaliman, on June 27, 1975; and jointly by Municipal Councilors Pilario G. Tuyac and Perpetuo Jovero, both of Polomolok, South Cotabato, and former army officer Liberato Salvador, on August 11, 1975, for (1) grave misconduct, conduct prejudicial to the best interest of the service, and committing acts punishable under the Anti-Graft Practices Law; (2) oppression; (3) nepotism; (4) neglect of duty; and (5) gross negligence. The Presidential Investigating Committee in the Department of Finance conducted the hearing of the case.

As to Charge I for grave misconduct, conduct prejudicial to the best interest of the service, abuse of authority and committing acts punishable under Anti-Graft Law, complainant alleged that respondent:

1. For flimsy and whimsical reasons, declared the annual budget of Koronadal, South Cotabato inoperative for three times;
2. Refused to attest to the incapability of Koronadal town to put up its counterpart for roads and bridges fund which attestation is essential to the release of national aid to said fund;
3. Refused the request of the Municipal Treasurer of Koronadal to withdraw funds from municipal deposits with the Provincial Treasurer for payment of salaries and wages of employees and respondent refused requisition of complainant for supplies and materials;
4. Caused the withdrawal of municipal deposit without authority for the purchase of four (4) typewriters amounting to ₱15,000 in violation of Sections 608 and 862 of the Revised Manual of Instructions to Treasurers;
5. Made as a condition to the approval of the 1974-75 Municipal Annual Budget of Koronadal the construction of a road leading to his private residence;
6. Manipulated the overpricing of 400 reams of short bond paper and 400 reams of long bond paper purchased by the province of South Cotabato from J. H. Trading which did not have a business permit; and
7. Caused the overpricing of one unit of X-Ray machine purchased by the province for the South Cotabato Provincial Hospital.

On Charge II for oppression, complainant alleged that respondent illegally issued Office Order No. 222 temporarily detailing complainant Municipal Treasurer Pedro P. Gandia to the Provincial Treasurer's Office, and that he usurped legislative power.

Anent the charge for neglect of duty, respondent allegedly failed to make available and deliver to the South Cotabato Provincial Hospital public funds contributed by the national, provincial and municipal governments in violation of Section 995 of the Revised Manual of Instructions to Treasurers.

The charge for nepotism, however, was dropped during the initial stage of hearing upon mutual agreement of both parties.

The complaint of Messrs. Salvador, Jovero and Tuyac for gross negligence alleged that respondent took unreasonable time to act on their complaints against Leoncio Matullano, Municipal Treasurer of Polomolok, South Cotabato lodged with respondent's office, all for malversation of public funds through falsification of public documents in the amount of ₱28,000, ₱3,400 and ₱65,020.45, respectively, thus enabling said municipal treasurer to make adjustment in his records, restore the same and prepare for investigation.

Respondent refuted the charges in his answer stating that, in declaring the Municipal Budget of Koronadal inoperative for three times, he was merely exercising his discretion in the performance of his duty to review municipal budgets to ascertain that all budgetary requirements and general limitations were complied with; that his non-attestation to the inability of Koronadal to put up its counterpart of the national roads and bridges fund was justified as said municipality could put up a partial counterpart as shown by its Trial Balance and to attest that it could not do so would constitute falsification; that the request for withdrawal of funds to pay the employees' salary and for the purchase of supplies and materials did not reach him and even if it did, he could not have approved it as at that time complainant had in his custody more than sufficient amount to serve the purpose of the request; that the purchase of the four (4) typewriters was legally made with vouchers and had the assurance of complainant as to funds to be appropriated for the same; that he did not demand for the construction of a road leading to his residence but only requested its maintenance, nor did he make the construction of same a leverage for the approval of the 1974-75 Municipal Budget of Koronadal; that the standard of procedure and regulations on purchase of supplies were regularly complied with in the purchase of 400 reams of short bond paper and 400 reams of long bond paper and that the purchase price of ₱23.45 per ream was the prevailing price then; and that the allegedly overpriced purchase of one unit of X-Ray machine for the Provincial Hospital of South Cotabato was regular and requirements incident to government purchases were complied with.

Regarding Charge II for oppression and abuse of authority, respondent cited several offenses committed by the Municipal Treasurer Gandia of Koronadal which justified his action, such as the expenditure of public funds without or in excess of appropriation, incurring consistent overdraft, using public funds other than the purpose for which same was intended. As to the usurpation of legislative power charge, respondent stated that the same arose from the misinterpretation of his directive to the Municipal Treasurer to "effect the necessary reversion of appropriation of allowances x x x." which meant only that he should make the necessary representation with the Municipal Council.

As to Charge III for failure to deliver public funds to the Provincial Hospital of South Cotabato, respondent admitted having withheld the hospital funds for fear that the same might be malversed by the Chief of the hospital and that he might be liable as principal by indispensable cooperation.

On the complaint of Messrs. Salvador, Jovero and Tuyac for gross negligence, respondent stated that he immediately acted on their complaints by referring the same to the Administrative Deputy and by creating an investigating committee which initiated the investigation thereon. However, due to failure of complainants to appear in the succeeding investigations and their request for another investigator from the Department of Finance, respondent has to defer the investigation and turned over the records of the case to the investigator designated by the Department of Finance.

After hearing, the Presidential Investigating Committee found that the charges for grave misconduct, committing acts punishable under the Anti-Graft Law, oppression and gross negligence were not substantiated. However, it found that respondent's actuations in the approval of the annual budget of Koronadal and respondent's non-attestation of the incapability of said town to put up its

counterpart in the roads and bridges fund for the release of the national aid to said fund, left much to be desired. While respondent was all too eager to communicate objections, he failed to consider to officially communicate an important bit of advice. That the subsidy was eventually released without respondent's attestation is inconsequential for what is in issue is his actuations in the premises. Complainant Gandia, it must be noted, was no longer the Municipal Treasurer when respondent approved the budget in question. Hence, respondent is culpable for conduct prejudicial to the best interest of the service.

The purchase of the four (4) typewriters for the Municipality of Koronadal by respondent violated Section 608 of the Revised Manual of Instructions to Treasurers which in effect provided that equipment procured for the municipality, especially one amounting to more than ₱5,000, must be approved by the Local Committee on Award which was not so in the purchase of the same. Further the vouchers of this purchase were not approved by the Municipal Mayor as legally required but nevertheless approved by respondent. It is evident, therefore, that he misused his prerogative and committed misconduct in arbitrarily disregarding said provision of said Manual.

Respondent failed to compute, furnish and deliver to the Provincial Hospital of South Cotabato the contribution which the National Government, the Province of Cotabato, and its municipalities are required by law to contribute in violation of Section 995 of the Revised Manual of Instructions to Treasurers. This fact was admitted by respondent for reasons that the Chief of Hospital might malverse the same and that he might be liable as principal by indispensable cooperation. It is evident that respondent has a legal duty to make available and deliver such funds and his deliberate omission to perform it on fanciful and capricious reasons cannot prevail over a clear legal mandate. From all indications then, respondent is guilty of neglect of duty.

For all the foregoing, the Committee recommends that respondent be found guilty misconduct, conduct prejudicial to the best interest of the service and neglect of duty.

After a review of the case, I agree with the findings of the Committee that the charges of grave misconduct, committing acts punishable under the Anti-Graft Law, oppression and gross negligence were not substantiated. However, the records of the case disclose beyond doubt that respondent was guilty of misconduct, conduct prejudicial to the best interest of the service, and neglect of duty which show that he utterly failed to meet the minimum standard of competence and integrity required of all officials and employees in the government service. It is worthy to state that the New Society expects the most ruthless discipline from the public servants, and he who cannot comply with its standards for competence and integrity has no business staying in the government service.

WHEREFORE, Ciriaco Jabido, Provincial Treasurer of South Cotabato, is hereby dismissed from the service effective upon receipt of this Order.

Done in the City of Manila, this 21st day of November, in the year of Our Lord, nineteen hundred and seventy-nine.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **JUAN C. TUVERA**
Presidential Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1979). *[Administrative Order Nos.: 439 - 504]*. Manila: Malacañang Records Office.

OFFICE OF THE PRESIDENT
MALACAÑANG,
MANILA

ADMINISTRATIVE ORDER NO. 444

EXTENDING TO THE CONSTITUTIONAL COMMISSIONS THE BENEFITS ENJOYED
BY MEMBERS OF THE JUDICIARY IN THE MATTER OF THE RATIONALIZED RATE OF
ALLOWANCES AND LIBERALIZED COMPUTATION OF RETIREMENT BENEFITS AND THE
ACCUMULATED LEAVE CREDITS

WHEREAS, under Letter of Implementation No. 96 entitled, Rationalizing Allowances of Personnel in the Judiciary, specific rates have been fixed for the transportation and representation allowances in the Judiciary;

WHEREAS, under Presidential Decree No. 1438, entitled Amending Republic Act 910 providing for the Retirement of Justices and all Judges in the Judiciary as amended, it is provided:

“Upon retirement, a Justice of the Court of First Instance, Circuit Criminal Court, Agrarian Relations, Tax Appeals, Juvenile and Domestic Relations, City or Municipal Court, or any other court hereafter established shall be automatically entitled to a lump sum of five years’ gratuity computed on the basis of the highest monthly salary plus the highest monthly aggregate of transportation, living and representation allowances he was receiving on the date of his retirement;”

WHEREAS, Rule XVI of the Civil Service Commission, implementing the provisions of law, provides that the accumulated leave of Justices is “unlimited”, thus:

“SEC. 5 –

“(b) The right of the Justices to leave of absence may be availed of by them subject only to approval in such manner as the court may direct: Provided, That all such leaves of absence shall be so arranged as not to deprive the court of quorum during its regular sessions. The accumulation of this leave is unlimited.”

WHEREAS, it is just and appropriate that the Constitutional Commissions should also enjoy the benefits aforementioned;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers in me vested by law, do hereby Order and Direct:

1. The transportation and representation allowances of the Chairman and Commissioner of a Constitutional Commission shall be as follows:

	Transportation Allowance	Representation Allowance	Total
Chairman	₱1,900	₱1,900	₱3,800
Commissioner	1,500	1,500	3,000

2. A Chairman/Commissioner shall not be entitled to transportation allowance when assigned a government vehicle.

3. The accumulated leave credit of a Chairman/Commissioner of a Constitutional Commission shall be computed under the same rules as those applicable to members of the Judiciary.

4. Upon retirement, the lump sum of five years' gratuity as provided under R.A. 3595 for the Chairman/Commissioner of a Constitutional Commission shall be computed on the basis of the highest monthly salary plus the duly authorized transportation, living and representation allowances in the last month prior to retirement or expiration of term.

5. Funds needed to implement this Administrative Order shall be drawn from savings in the current appropriations of the Constitutional Commission concerned.

6. This Administrative Order shall take effect immediately.

Done in the City of Manila, this 13th day of December, in the year of Our Lord, nineteen hundred and seventy-nine.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) JACOBO C. CLAVE

Presidential Executive Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1979). *[Administrative Order Nos.: 439 - 504]*. Manila: Malacañang Records Office.

OFFICE OF THE PRESIDENT OF THE PHILIPPINES
MALACAÑANG

ADMINISTRATIVE ORDER NO. 445
CONDONING BACK RENTALS DUE FROM LOT BUYERS AND AWARDEES OF THE
GARCIA ESTATE IN DAVAO CITY

WHEREAS, the Garcia Estate situated in Davao City was purchased by the government in 1961, pursuant to the Constitution and Republic Act 1400 for subdivision into residential lots and resale to the tenants-occupants and other persons qualified to acquire homelots of their own;

WHEREAS, in the sale of the lots, the occupant-buyer are required to pay back rentals and interest up to the time that they purchase their lots;

WHEREAS, the rentals and interest have accumulated to such an extent that the occupants-applicants cannot pay the same, thereby delaying the execution of sales and issuance of titles in their favor;

WHEREAS, the failure of the tenants and occupants to pay the rentals and interest was due partly to their conviction that they were to pay the cost of the land and not for the use thereof, since the estate was primarily acquired by the government in their behalf;

WHEREAS, the collection of rentals is tantamount to a continuance of the tenant-landlord relationship, which the Constitution and the land reform laws contemplate to replace with land ownership scheme;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law and the best interests of the Government so requiring, do hereby order:

That the outstanding rentals of tenants and occupants found qualified under the law, rules and regulations to acquire homelots in the GARCIA ESTATE, Davao City, as well as rentals in arrears and interest thereon of promises in agreements to sell are hereby condoned and said persons relieved therefrom.

Done in the City of Manila, this 24th day of January, in the year of our Lord, nineteen hundred and eighty.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) JUAN C. TUVERA
Presidential Assistant

Source: Malacañang Records Office

Office of the President of the Philippines. (1980). *[Administrative Order Nos.: 439 - 504]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 446

**CREATING AN EXECUTIVE COMMITTEE TO TAKE CHARGE OF THE PLANNING
EXECUTION OF COMMEMORATIVE ACTIVITIES FOR THE 38th ANNIVERSARY OF THE
FALL OF BATAAN AND THE FALL OF CORREGIDOR.**

WHEREAS, the Fall of Bataan and the Fall of Corregidor are historic milestones in our nationhood;

WHEREAS, it is deemed fitting and proper to commemorate these historic events with appropriate activities and/or ceremonies in order to impress upon our people as well as the rest of the world of the valor and sacrifices of those who fought and died during the epic struggle for freedom and democracy, and of the transcending significance of such struggle in our national development and aspirations;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby constitute and create an Executive Committee to formulate plans and device ways and means for the successful execution of appropriate activities and/or ceremonies for the commemoration of the 38th anniversary of the Fall of Bataan and the Fall of Corregidor. The Committee shall be composed of the following:

The Deputy Minister for Civilian Relations	– Chairman
Ministry of National Defense	
The Deputy Minister of Tourism	– Co-Chairman
Minister of Tourism	
The Deputy Chief of Staff	– Vice-Chairman
Armed Forces of the Philippines	
The Administrator	– Member
Philippine Veterans Affairs Office	
The General Manager	– Member
Philippine Tourism Authority	
The Commanding General	– Member
Philippine Army	
The Flag-Officer-In-Command	– Member
Philippine Navy	
The Executive Vice-President	– Member
Veterans Federation of the Philippines	
The Special Assistant on Veterans Affairs	– Member
Ministry of National Defense	
The Chairman	– Member
National Historical Institute	

The Director	– Member
National Media Production Center	
The Assistant Minister for Operations	– Member
Ministry of Public Works	
The Chief, Civil Relations Service, AFP	– Member
The National Commander	– Member
Defenders of Bataan and Corregidor	
The Acting Chief	– Member/Secretary
Military Shrines Service, PVAO	

The Committee may request any ministry, bureau, office, agency or instrumentality of the government for such assistance as it may need, and to create such committee, sub-committee or staffs as may be necessary.

Done in the City of Manila, this 7th day of March, in the year of Our Lord, nineteen hundred and eighty.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **JUAN C. TUVERA**
Presidential Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1980). *[Administrative Order Nos.: 439 - 504]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 447
CREATING THE SPECIAL RIZAL DAY COMMEMORATION COMMITTEE

By virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, in order to ensure the successful commemoration throughout the Philippines of this year's death anniversary of Dr. Jose P. Rizal on December 30, 1980, do hereby create a special committee to take charge of all arrangements for the activities composed of the following:

The Minister of Education and Culture- - - - -	Chairman
The Deputy Minister of National Defense- - - - -	Vice-Chairman
The Associate Justice of the Supreme Court- - - - -	Member
The Deputy Minister of Public Works- - - - -	Member
The Deputy Minister of Trade - - - - -	Member
The Deputy Minister of Local Governments and Community Development - - - - -	Member
The Deputy Minister of Tourism - - - - -	Member
The Deputy Minister of the Budget- - - - -	Member
The Officer-in-Charge of the Ministry of Public Information- - - - -	Member
The Mayor of Manila - - - - -	Member
The Chairman of the National Historical Institute - - - - -	Member
The Director of the Bureau of National and Foreign Information - - - - -	Member
The Executive Director of the National Commission on the Role of Women of the Philippines - - - - -	Member
The Vice-Chairman of the National parks Development Committee - - - - -	Member
The Assistant Presidential Protocol Officer - - - - -	Member/Secretary

The Committee shall meet at the call of the Chairman and, for the purpose of discharging its functions, may create such sub-committees as may be necessary.

The Committee is hereby authorized to call upon any ministry, bureau, office, agency or controlled corporations, for such assistance as it may need in discharging its duties and functions.

Done in the City of Manila, this 5th day of December, in the year of Our Lord, nineteen hundred and eighty.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **JOAQUIN T. VENUS, JR.**
Presidential Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1980). *[Administrative Order Nos.: 439 - 504]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 448

**AUTHORIZING THE AFP MBAI GENERAL INSURANCE CORPORATION TO BECOME
A SURETY UPON OFFICIAL RECOGNIZANCES, STIPULATIONS, BONDS AND
UNDERTAKINGS.**

WHEREAS, Section 1 of Act No. 536, as amended by Act No. 2206 provides that whenever any of recognizances, stipulation, bond or undertaking conditioned for the faithful performance of any duty or of any contract made with any public authority, national, provincial, municipal, or otherwise, or of any undertaking, or for the doing or refraining from doing anything in such recognizance, stipulation, bond, or undertaking specified, is, by the laws of the Philippines, or by the regulations of any public authority therein, required or permitted to be given with on surety or with two or more sureties, the execution of the same or the guaranteeing of the performance of the condition thereof shall be sufficient when executed or guaranteed solely by any corporation organized under the laws of the Philippines, having power to guarantee the fidelity of persons holding positions of public or private trust and to execute and guarantee bonds or undertakings in judicial proceedings and to agree to the faithful performance of any contract or undertaking made with any public authority.

WHEREAS, said section further provides that no head of department, court, judge, officer, board, or body executive, legislative or judicial, shall approve or accept any corporation as surety on any recognizance, stipulation, bond contract, or undertaking, unless such corporation has been authorized to do business in the Philippines in the manner provided by the provisions of said Act No. 536, as amended, nor unless such corporation has, by contract with the Government of the Philippines, been authorized to become a surety upon official recognizances, stipulations, bonds, and undertakings; and

WHEREAS, the AFP MBAI GENERAL INSURANCE CORPORATION is a domestic corporation organized and existing under the laws of the Republic of the Philippines and fulfills the conditions prescribed by said Act No. 536, as amended.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby authorize the AFP MBAI GENERAL INSURANCE CORPORATION to become a surety upon official recognizances, stipulations, bonds and undertakings in such manner and under such conditions as are provided by law, limited to the properties of the AFP and the members of the AFP and INP and notwithstanding Commission on Audit Circular No. 79-112, dated August 30, 1979.

Done in the City of Manila, this 22nd day of December, in the year of our Lord, nineteen hundred and eighty.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **JOAQUIN T. VENUS, JR.**
Presidential Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1980). *[Administrative Order Nos.: 439 - 504]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 449

ESTABLISHING A NATIONAL COORDINATING COMMITTEE FOR DRAINAGE (NCCD) TO COORDINATE AND INTEGRATE PLANS, DESIGNS, AND PROGRAMS OF INFRASTRUCTURE FACILITIES WITH RESPECT TO FLOOD CONTROL, DRAINAGE AND RELATED WORKS.

WHEREAS, the damages to infrastructure projects wrought by typhoons and calamities accentuate the need for an administrative committee to coordinate and integrate plans, designs and programs of the different infrastructure agencies and other organizations concerned with respect to flood control and drainage requirements:

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby create a National Coordinating Committee for Drainage (NCCD) to be composed of the following:

Assistant Secretary for Planning and Administration, Ministry of Public Works (MPW)	Chairman
Executive Director, National Water Resources Council (NWRC) ...	Member
Director, Bureau of Flood Control and Drainage of MPW	Member
Director, Bureau of Construction Ministry of Public Highways (MPH)	Member
Administrator, National Irrigation Administration (NIA)	Member
Director, Bureau of Community Development, Ministry of Local Government and Community Development (MLGCD)	Member
Director, Bureau of Soils (MA)	Member
Director, Bureau of Forest Development (MNR)	Member
President, National Power Corporation (NPC)	Member
General Manager, Philippine National Railways (PNR)	Member (for areas traversed by PNR lines)
General Manager, National Housing Authority (NHA)	Member (for areas traversed by Housing Projects)

The NCCD shall coordinate and integrate plans, designs, and programs of infrastructure facilities requiring flood control, drainage and related works. The NCCD shall, likewise consider projects of the private sector (e.g., Housing and utility projects) insofar as drainage is concerned to require the private developers concerned to conform to the appropriate design standards and overall drainage plan for the area established by MPW.

The NCCD shall recommend to NWRC the inclusion of flood control storage in reservoir projects whenever necessary.

The MPW, which has the main responsibility for the design of flood control and drainage, shall establish, in coordination with the agencies concerned, the general design criteria, standards, and development plans for flood control and drainage, viz, maximum flood heights, flood zones, discharge requirements, specifications, flood control and drainage master plans, and related matters, and the same shall be issued through the NCCD to the agencies concerned. Heads of agencies concerned shall be responsible for compliance with such criteria, standards and development plans.

Each agency of government, especially, the MPH, NIA, PNR, NHA, and local government, shall see to it that, for every project that involves or requires drainage, the plans and designs shall indicate the provisions for drainage within and through the project areas, and for the facility that will convey the excess waters from the project area to appropriate waterways. The agencies concerned shall furnish the NCCD with detailed construction plans for review. While under review, the implementation of the project may be started. The NCCD, however, shall promptly inform the agencies concerned of any inadequacy or non-conformity of detailed construction plan with the prescribed criteria, standards and development plans, with instruction for appropriate modifications.

The cost of flood protection works and drainage facilities within and through the project area shall be funded by the implementing agency concerned, which shall also undertake the construction of the same. The cost of flood control and drainage facilities connecting the agency project to external waterways shall be funded by the MPW, which shall undertake by itself or through assignment to the implementing agency concerned the construction of the same.

The MPW shall undertake periodic inspection of the construction of the flood protection and drainage facilities. The MPW shall submit to the NCCD, report as to the compliance with respect to relevant plans, designs and specifications.

The agency concerned shall be responsible for the proper and adequate maintenance and repair of flood protection and drainage facilities within and through existing and proposed facilities under its jurisdiction. The MPW shall be responsible for the maintenance and repair of other flood protection works and drainage facilities.

The NCCD is hereby authorized to issue detailed guidelines, rules and regulations to implement the provisions of this Order, to call upon any agency for assistance in pursuing its functions, and to establish a Secretariat to provide technical and administrative support. Funds for the operations of the NCCD may come from agency contributions.

The individual agency/ministry concerned shall provide funds for the above undertakings assigned to them in their respective annual budgets.

Done in the City of Manila, this 26th day of February, in the year of Our Lord, nineteen hundred and eighty-one.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **JUAN C. TUVERA**
Presidential Executive Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1981). *[Administrative Order Nos.: 439 - 504]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 450
ELIMINATING THE REQUIREMENT OF A LETTER OF CONFIRMATION AND TAX
CLEARANCE FOR PARTICIPATING IN PUBLIC BIDDING AND OTHER PURPOSES, BY
REPEALING ADMINISTRATIVE ORDER NO. 66.

WHEREAS, our people has developed a high sense of civic responsibility as shown by the improved level of compliance and increasing amount of taxes paid over the years;

WHEREAS, some administrative requirements became archaic, and onerous that their continued enforcement unduly burdens the public;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby repeal Administrative Order No. 66 requiring the presentation of a Letter of Confirmation (BIR Form No. 19.65-A-1) and BIR Tax Clearance (BIR Form No. 17.61) as prerequisites to participate in any public bidding with the government or any of its agencies including government-owned and controlled corporations and for other similar purposes.

Done in the City of Manila, this 16th day of May, in the year of Our Lord, nineteen hundred and eighty-one.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) JUAN C. TUVERA
Presidential Executive Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1981). *[Administrative Order Nos.: 439 - 504]*. Manila: Malacañang Records Office.

MALACAÑAN PALACE
MANILA

OFFICE OF THE PRESIDENT

ADMINISTRATIVE ORDER NO. 451
ESTABLISHING THE ORDER OF PRECEDENCE OF GOVERNMENT OFFICE

SECTION 1. In state and official ceremonies, government officials, foreign dignitaries and other officials shall be ranked in accordance with the attached Order of Precedence.

SECTION 2. The foregoing order of precedence may be modified as circumstances warrant and as dictated by local customs and traditions. Except as a guide to insure order during ceremonials and social functions, the above ranking of officials shall not entitle them to any other rights and privileges. In social functions, the Office of Protocol, Ministry of Foreign Affairs, may be consulted on the order of precedence, seating arrangements and other matters of protocol.

SECTION 3. This order supersedes all other previous orders that are inconsistent therewith.

DONE IN THE CITY OF MANILA this 5th day of October, 1981.

(Sgd.) **FERDINAND E. MARCOS**

By the President:

(Sgd.) **JUAN C. TUVERA**

Presidential Executive Assistant

Reference: Order of Precedence

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1981). *[Administrative Order Nos.: 439 - 504]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 452
CREATING THE SPECIAL RIZAL DAY COMMEMORATION COMMITTEE

By virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, in order to ensure the successful commemoration throughout the Philippines of this year's death anniversary of Dr. Jose P. Rizal on December 30, 1981, do hereby create a special committee to take charge of all arrangements for the activities composed of the following:

The Minister of Education and Culture	Chairman
The Deputy Minister of National Defense	Vice-Chairman
The Associate Justice of the Supreme Court and concurrently Supreme Commander, Knights of Rizal	Member
The Deputy Minister of Public Works and Highways	Member
The Deputy Minister of Trade and Industry	Member
The Deputy Minister of Local Government	Member
The Deputy Minister of Tourism	Member
The Deputy Minister of the Budget	Member
Director-General of the Office of Media Affairs	Member
The Mayor of Manila	Member
The Chairman of the National Historical Institute	Member
The Executive Director of the National Commission on the Role of Filipino Women	Member
The President of the Civic Assembly of Women of the Philippines	Member
The Vice-Chairman of the National Parks Development Committee	Member
The Assistant Presidential Protocol Officer	Member-Secretary

The Committee shall meet at the call of the Chairman and, for the purpose of discharging its functions, may create such sub-committees as may be necessary.

The Committee is hereby authorized to call upon any ministry, bureau, office, agency or instrumentality of the Government, including government-owned or controlled corporations, for such assistance as it may need in discharging its duties and functions.

Done in the City of Manila, this 26th day of November, in the year of our Lord, nineteen hundred and eighty-one.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **JUAN C. TUVERA**
Presidential Executive Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1981). *[Administrative Order Nos.: 439 - 504]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 453

CREATING A COMMITTEE TO CONDUCT AN INVENTORY OF ALL PLANES AND TO
ESTABLISH A POOL TO BE MAINTAINED BY THE PHILIPPINE AIR FORCE OR BY THE
PHILIPPINE AIR LINES.

WHEREAS, it is necessary to have available planes at all times for the use of Cabinet Members on a schedule basis;

WHEREAS, it is necessary to establish a system of regular maintenance of such planes and to set up standards for the training and checkout of their pilots;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby create a committee to conduct an inventory of all planes and helicopters of the civil government offices, corporations and agencies and to establish a pool to be maintained by the Philippine Air Force or Philippine Air Lines. The Committee shall be composed of the following:

- | | |
|---|------------|
| A representative of the Bureau of Air Transportation | – Chairman |
| A representative of the Commission on Audit | – Member |
| A representative of the Office of Budget and Management | – Member |

The planes and helicopters shall be maintained and made available for the use of any member of the cabinet on a scheduled basis.

The Committee shall submit to the President of the Philippines a report of the number of planes and helicopters and organize a pool to be housed in the Philippine Aerospace Development Corporation Hangar. The Committee shall also establish a maintenance system, whether at the PAF or PAL, or both in coordination with each other, and organize a technical group to supervise the training and checkout of pilots and the maintenance of the planes.

This Order shall take effect immediately.

Done in the City of Manila, this 14th day of December, in the year of Our Lord, nineteen hundred and eighty-one.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **JUAN C. TUVERA**
Presidential Executive Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1981). *[Administrative Order Nos.: 439 - 504]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 454

**EXONERATING CEBU CITY TREASURER AUGUSTO PACIS AND FORMER CEBU CITY
ASSISTANT TREASURER (NOW PROVINCIAL TREASURER OF LEYTE) FLORENCIO LUNA.**

This refers to the administrative case filed by the Ministry of Finance against Messrs. Augusto Pacis, City Treasurer of Cebu, and Florencio Luna, former Assistant City Treasurer of Cebu (now Provincial Treasurer of Leyte), for dishonesty and violation of the Anti-Graft and Corrupt Practices Act in connection with the processing, approval and payment of some nine vouchers involving the disbursement of certain barrio funds. The case was formally investigated by the Presidential Investigating Committee created under Administrative Order No. 175, series of 1969, as amended.

It appears that on or about July 16, 1974, Raymundo de los Reyes, Barrio Captain of Sawang Calero, Cebu City, together with Daniel San Juan and Gloria Maspiñas, both former officials of said barrio, inquired from respondent Pacis about a certain voucher covering payments made to Rodwil Enterprises for alleged deliveries of concrete pipes to said barrio. Upon verification, the voucher was found to have been paid four days earlier. The aforementioned barrio officials, however, denied the delivery of the concrete pipes to their barrio and claimed that their signatures on the voucher and its supporting papers were forged or falsified. Hence, on August 1, 1974, respondent Pacis ordered the investigation of the anomaly and created a special investigating committee for the purpose. The committee submitted its report on September 9, 1974, and respondent Pacis indorsed the same to the City Fiscal of Cebu, recommending the prosecution of the perpetrators.

After a short preliminary inquiry by the Cebu City Fiscal's Office, the case was forwarded to the Criminal Investigation Service (CIS) which conducted its own investigation of the case resulting in the discovery of eight other vouchers wherein the barrio officials' signatures appeared to have been falsified. Hence, the CIS submitted its report to the Cebu District State Prosecutor on the basis of which the latter filed eighteen (18) criminal information against respondent Pacis and several others. Pacis, upon order of the court, has heretofore been suspended from office since April 25, 1977. Respondent Luna, who was subsequently included in the criminal case, elevated said action of the District State Prosecutor to the Ministry of Justice which, as of the time the finding and recommendation of the Presidential Investigating Committee were made, had not made its ruling thereon. Thus, the Circuit Criminal Court of Cebu, before which the criminal cases were filed, suspended the hearings thereof.

The pendency of the criminal cases notwithstanding, the instant administrative complaint was initiated by the Ministry of Finance and was investigated by the Presidential Investigating Committee created under Administrative Order No. 175, series of 1969, as amended.

The evidence adduced at the investigation disclosed that during the period starting from December 17, 1971, and up to and including July 12, 1974, some nine vouchers were processed approved and paid for the alleged deliveries of certain materials to three barrios in Cebu City, to wit:

Barrio Sawang Calero:

Voucher No. 041, for the payment of 16 sets of mercury vapour arc lamp in the amount of ₱4,800.00;

Voucher No. 042, for the payment of 73 pieces of concrete pipes in the amount of ₱4,993.00;

Voucher No. 043, for the payment of various electrical supplies in the amount of ₱4,963.00;

Voucher No. 1528, for the payment of various electrical supplies in the amount of ₱4,963.00;

Voucher No. 1529, for the payment of 16 sets of mercury vapour lamp in the amount of ₱4,800.00;

Voucher No. 1530, for the payment of 73 pieces of concrete pipes in the amount of ₱4,993.00;

Barrio Santa Cruz:

Voucher No. 022, for the payment of 16 sets of mercury vapour arc lamp in the amount of ₱4,800.00;

Barrio Tira

Voucher No. 902, for payment of 73 pieces of concrete pipes in the amount of ₱4,993.00; and

Voucher No. 903, for the payment of various electrical supplies in the amount of ₱4,912.00.

In the transactions involving the above vouchers, it was made to appear: that barrio resolutions were passed and approved, by the barrio councils of Sawang Calero, Tira and Sta. Cruz; that requisition and issue vouchers were made and certified to by the barrio officials concerned; that public canvasses in the procurement of the supplies and materials requisitioned were conducted by the barrio officials; that lists of probable bidders were furnished by the barrio officials with canvass forms and participant bidders submitted their accomplished canvass forms with price quotations; that Rodwil Enterprises which was represented by Rodolfo Ybañes was the lowest bidder; and that the barrio officials made certification as to the delivery of the requisitioned items mentioned in the requisition and issue vouchers and as to the authenticity of their signatures thereon. Aside from the evidentiary documents in support of the foregoing, other instruments were found attached to the questioned vouchers, to wit: Debit/Credit Advice of Barrio Form No. 2, Payment Order and Voucher Taxpayers' Certificate and Invoice of Rodwil Enterprises.

Despite the foregoing, however, all the barrio officials concerned denied in their affidavits and in their testimonies the genuineness and/or authenticity of their signatures appearing on the vouchers and on the supporting papers. These officials likewise claimed, and it was fully established, that the materials covered by the vouchers were never delivered to the barrios concerned. Except for this irregularity, however the authenticity and genuineness of all the signatures and/or initials of the officials and employees of the Cebu City Treasurer's Office and the City Auditor's Office was never put in question.

Under the foregoing circumstances, may the respondents city treasurer and assistant city treasurer be held guilty of dishonesty and/or violation of the Anti-Graft and Corrupt Practices Act?

The Investigating Committee answers the question in the negative. It is the Committee's observation that subject vouchers were complete and regular in all respects when they reached the desk of respondent Pacis leaving him with no vouchers. Hence, in signing said documents, Pacis

could have acted on the legal presumption that official duty had been regularly performed by his subordinates. He could not be faulted for relying on and giving full faith and credence to the actuations of his subordinate officials and employees as well as of those of another government agency – the Commission on Audit – who are all responsible public servants. In this connection, the observation of the Presidential Investigation Committee is noteworthy, thus:

“Under this official and bureaucratic milieu prevailing in our government and sans evidence to the contrary, this Committee cannot be morally certain of the existence of conspiracy to defraud the government even as respondent Pacis relied on the initials of his Assistant Treasurer, of his Administrative Deputy, of the Chief of the Accounting Division, of the pre-audit clerks, and of the Barrio Bookkeeper, all officials and employees of his office, as well as on the reported inspection and pre-audit made by the Office of the City Auditor. As department head, respondent Pacis was not expected to again minutely pass upon and make personal verification of what his subordinate and what the other officials and employees of another agency of the government were supposed to have done.”

Aside from the foregoing, the instant case may also be considered in the light of respondent Pacis’ actuations upon knowledge of the anomaly. Thus, the evidence shows that upon being informed of the forgeries, he ordered the investigation thereof at least as regards the voucher complained of by certain officials of Bo. Sawang Calero. Moreover, it also appears that respondent Pacis caused the expose of the anomaly in question in one of the local newspapers and issue a Memorandum on April 2, 1974, instructing his Assistant (respondent Luna), Administrative Deputy Nemesio Gonzales and Chief of the Accounting Division Aniano Alo to summon the barrio officials concerned to authenticate their signatures on the vouchers and their supporting documents.

Concerning respondent Luna, the investigating committee has recommended that he be penalized, in the sound discretion of the President, for gross negligence for failure to discharge a duty specifically assigned to him by respondent Pacis, i.e., to summon certain barrio officials for them to authenticate their signatures on some vouchers. It bears noting, however, that even as the investigating committee recommends that respondent Luna be penalized, it nonetheless concedes that his negligence “. . . does not necessarily amount to dishonesty or violation of the Anti-Graft and Corrupt Practices Act, no evidence having been adduced to substantiate such charge.” In view thereof, and considering further the fact that Luna had been subsequently absolved of any criminal liability by no less than the Tanodbayan and the Circuit Criminal Court of Cebu, 14th Judicial District, there appears no more occasion for taking respondent Luna to task administratively.

Wherefore, Cebu City Treasurer Augusto Pacis and former Cebu City Assistant Treasurer Florencio Luna, (now Provincial Treasurer of Leyte) are hereby exonerated from the instant charges.

Done in the City of Manila, this 4th day of May, in the year of Our Lord, nineteen hundred and eighty-two.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **JOAQUIN T. VENUS, JR.**
Deputy Presidential Executive Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1982). *[Administrative Order Nos.: 439 - 504]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

ADMINISTRATIVE ORDER NO. 455

WHEREAS, there is mounting public concern that the use of asbestos cement pipes for distribution of potable water for human consumption may be a hazard to public health;

WHEREAS, asbestos cement pipes have been and are being used in the distribution system under construction by such water agencies as the Metropolitan Waterworks and Sewerage System and the Local Water and Utilities Administration and contracts exist calling for the use of asbestos cement pipes;

WHEREAS, there appears to be a divergence of opinion on the subject of the carcinogenic nature of asbestos cement pipes;

WHEREFORE, a Special Presidential Advisory Committee is hereby created to be composed of the following:

1. DR. JESUS C. AZURIN, Minister, Ministry of Health, as Chairman
2. DR. CELSO ROQUE, Executive Director, NEPC, as Member
3. DR. EMIL Q. JAVIER, Director-General, National Science and Technology Authority, as Member
4. DR. IGNACIO SALCEDO, Director, Product Standard Agency, as Member
5. MR. FRED ELIZALDE, President, Philippine Chamber of Commerce and Industry, as Member

The Special Committee is hereby empowered to collect and collate data and materials; study and assess all the issues relevant to the above subject in order to determine whether or not the use of asbestos cement pipes for water distribution systems shall be further allowed in the country; and submit to the undersigned within three months from date hereof the results of the study together with recommendations for a policy that would best serve the interest of all the citizenry.

It is hereby ordered that pending the promulgation of such a policy, asbestos cement pipes be used or purchased by MWSS and LWUA or their contractors.

The Special Committee is hereby authorized to call upon any office or official in any office to assist the Special Committee in its task.

Done this 18th day of November, 1982.

(Sgd.) FERDINAND E. MARCOS
President

By the President:
(Sgd.) JUAN C. TUVERA
Presidential Executive Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1982). *[Administrative Order Nos.: 439 - 504]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 456
CREATING THE SPECIAL RIZAL DAY COMMEMORATION COMMITTEE

By virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, in order to ensure the successful commemoration throughout the Philippines of this year's death anniversary of Dr. Jose Rizal on December 30 1982, do hereby create a special committee to take charge of all arrangements for the activities composed of the following:

The Minister of Education and Culture	Chairman
The Deputy Minister of National Defense	Vice-Chairman
The Associate Justice of the Supreme Court and concurrently Supreme Commander, Knights of Rizal	Member
The Deputy Minister of Public Works and Highways	Member
The Deputy Minister of Trade and Industry	Member
The Deputy Minister of Local Governments	Member
The Deputy Minister of Tourism	Member
The Deputy Minister of the Budget	Member
The Director-General of the Office of Media Affairs	Member
The Mayor of Manila	Member
The Chairman of the National Historical Institute	Member
The Executive Director of the National Commission on the Role of Filipino Women	Member
The President of the Civic Assembly of Women of the Philippines ...	Member
The Vice-Chairman of the National Parks Development Committee	Member
The Assistant Presidential Protocol Officer	Member-Secretary

The Committee shall meet at the call of the Chairman and, for the purpose of discharging its functions may create such sub-committees as may be necessary.

The Committee is hereby authorized to call upon any ministry, bureau, office, agency or instrumentality of the government, including government-owned or controlled corporations, for such assistance as it may need in discharging its duties and functions.

Done in the City of Manila, this 6th day of December, in the year of Our Lord, nineteen hundred and eighty-two.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **JUAN C. TUVERA**
Presidential Executive Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1982). *[Administrative Order Nos.: 439 - 504]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

ADMINISTRATIVE ORDER NO. 457
DISMISSING FROM OFFICE ATTY. ANTONIO T. UY, AS REGISTER OF DEEDS OF
LAPU-LAPU CITY

This refers to the administrative charges filed against Lapu-Lapu City Register of Deeds Antonio T. Uy.

It appears that in a letter dated April 19, 1977, then Minister of Justice Vicente Abad Santos recommended that respondent be fined his salary equivalent to six (6) months for having been found guilty of grave misconduct as charged by the National Bureau of Investigation. This case stemmed from a preparation of a document entitled “Extra-judicial Settlement, Declaration of Heirs and Deed of Absolute Sale” dated January 18, 1974, where it was made to appear that the eight signatories thereto sold to respondent their pro-indiviso interest and participation in Opon Cadastre Lot No. 1669 containing 2,164 square meters left by the deceased Calixto Oyao in consideration of the sum of ₱500.00 instead of the stipulated price of ₱2,600.00. In his answer, respondent alleged that the document did not show the actual consideration in order to lessen the expenses of registration and cost of documentary stamp tax as desired by the Oyao heirs. On this score, I agree with the observation of the Land Registration Commission and the then Secretary of Justice that respondent, by his sworn duties, should have condemned evasion of payment of correct amount of fees and taxes by concealing the true consideration of the sale by the parties to the document and, in so consenting to that arrangement, he became a party to the defraudation of the government.

Respondent was also separately charged of grave misconduct (landgrabbing of fishpond) initiated by Nemesio Bering; and of violation of Commonwealth Act No. 466 (National Internal Revenue Code) and Republic Act No. 5448 (Science Stamp Law) initiated motu proprio by the Commissioner of Land Registration.

On February 13, 1978, then Secretary of Justice Abad Santos recommended respondent’s dismissal from the service for having been found guilty of the said charges of grave misconduct and violation of Commonwealth Act No. 466 and Republic Act No. 5448. In the case filed by Bering, investigation disclosed that, taking advantage of his position as register of deeds, respondent ignored established registration procedures and practices to promote his personal interest; while in the other case, thirteen (13) documents were found in his office desk without the necessary documentary and science stamps in the amount of ₱724.80, which absence was not satisfactorily explained by him.

In view of all the foregoing, and as recommended, Atty. Antonio T. Uy is hereby found guilty of the charges as specified above and accordingly, dismissed from the service effective upon receipt of a copy of this Order.

Done in the City of Manila, this 29th day of December, 1982.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **MANUEL M. LAZARO**
Presidential Assistant for Legal Affairs

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1982). [*Administrative Order Nos.: 439 - 504*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 458
SUSPENDING ASSISTANT PROVINCIAL FISCAL DAVID TUBONGBANUA FROM OFFICE.

This is an administrative complaint initiated by Mr. Florancio Cambronero against Assistant Provincial Fiscal David Tubongbanua of Iloilo for gross misconduct, oppression, threat and acts unbecoming of a government prosecutor.

In the morning of March 30, 1981, complainant was at the Iloilo Provincial Capitol, Iloilo City, in connection with an attempted rape case in which his daughter was the offended party. When the case was first called, respondent approached complainant who was then standing outside the courtroom together with his wife and daughter. From this point on, complainant's and respondent's version of the case differ.

Per complainant's account, respondent asked him to have the case settled amicably in consideration of the amount of ₱2,000.00. When he manifested unwillingness to consider any settlement, respondent remarked: "Caron sipa-on ta, gago Ca, indi ikaw mag pati sa akon" (Soon I might kick you. You are an idiot. You refuse to obey me"). Thereafter, respondent hurled threats at complainant and attempted to kick the latter, but was prevented from doing so by complainant's wife and Atty. William Villa of the Citizens Legal Assistance Office. Later on, respondent said: "Con seguiahon mo ang caso, indi mo man ma pa sulod sa prisohan and acusado." (If you go on with the case, you would not be able to send the accused to jail anyway").

Complainant's story was substantially corroborated by his wife and one Anacleto Franco.

In reply, respondent fiscal gave his side of the incident as follows:

When she attempted rape case was called for arraignment in the morning of January 19, 1981, respondent separately discussed with complainant and the accused the possibility of amicably settling the same. Both replied that they would think the matter over. Complainant, however, was told to see respondent before the scheduled hearing on February 20, 1981, so they can prepare for trial in the event no settlement is arrived at. The date of the hearing came, but complainant made no appearance. Fortunately, the trial was reset. On the March 30, 1981 hearing, respondent confronted complainant, asking him why he did not comply with his instructions. The complainant just stared at him (respondent) without saying a word. Since respondent knew that the corroborative eyewitness was no longer available, he reminded complainant about the proposed settlement. Complainant, however, insisted on going on with the trial, so respondent's temper began to rise. Respondent told the complainant that it was not advisable to proceed with the trial, since the corroborative eyewitness was no longer available. Complainant was adamant and still insisted upon going to trial, so, respondent lost his temper. He then told complainant that even if the accused were to be convicted, "the accused shall not go to jail because of the Probation Law". Respondent was indignant at the complainant not only because of complainant's failure to follow instructions, but also because of his unreasonable insistence upon going to trial.

Invoking the Bible, respondent cites at least nine instances when wrath was properly displayed; and he avers that government prosecutors “should then be angry” when their plan for the administration of justice is subverted by non-cooperation on the part of the very persons who need it.

I find unsatisfactory respondent fiscal explanation as regards his admitted public display of anger against complainant. Complainant acted legitimately in insisting that the prosecution of the attempted rape case committed against his daughter be pursued. Respondent’s assertion that the case for the prosecution was very weak because the corroborative eyewitness was no longer available is, to say the least, unfounded. As a fiscal, he ought to have known that, by its very nature, the crime of rape is almost always committed without eyewitnesses, and that the credible testimony of the victim alone may suffice to support the conviction of the accused.

I am inclined to believe the assertion of complainant that, indeed, respondent tried to kick him. In the first place, this was probable in view of respondent’s admission that he had lost his temper, in the second place, there is palpable basis to accord credence to the statement of Anacleto Tranco, who appears to be a disinterested witness, in the absence of proof of bias and prejudice, or motive to falsify the truth, on his part. Finally, as between the positive testimony of complainant and his witnesses and the bare and uncorroborated denial of respondent, the former is entitled to more weight.

The respondent fiscal’s failure to keep his composure and his attempt to kick the complainant in public for no justifiable reason constitutes misconduct for which he must be held administratively liable.

WHEREFORE, and as recommended by the Minister of Justice, Assistant Provincial Fiscal David Tobungbanua of Iloilo is hereby suspended from office for one (1) month without pay, effective upon receipt of a copy of this order.

Done in the City of Manila, this 29th day of December, in the year of Our Lord, nineteen hundred and eighty-two.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **MANUEL M. LAZARO**
Presidential Assistant for Legal Affairs

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1982). *[Administrative Order Nos.: 439 - 504]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 459
SUSPENDING MR. JOSE L. MANULAT FROM OFFICE AS ASSISTANT PROVINCIAL
FISCAL OF CEBU.

This refers to the administrative complaint for gross inefficiency and incompetence filed by Mrs. Isabel R. Mahipus against Assistant Provincial Fiscal Jose L. Manulat of Cebu. The case was investigated by Cebu Provincial Fiscal Loreto M. Durano who found respondent guilty of gross negligence.

It appears that on July 13, 1979, Mrs. Isabel R. Mahipus filed a complaint for grave oral defamation (which was to prescribe on January 7, 1980) against Nathaniel Mahipus, et al., before the Office of the Provincial Fiscal of Cebu. The Cebu Provincial Fiscal assigned the said case for preliminary investigation to respondent fiscal. On December 27, 1979, respondent submitted to the Provincial Fiscal a resolution recommending the filing of an information for grave oral defamation against Nathaniel Mahipus, et al. On December 28, 1979, the Provincial Fiscal approved respondent fiscal's resolution in the case and the records thereof were given to Mr. Emilio Deiparine, an office employee, for delivery to respondent. However, respondent prepared and submitted an information for grave oral defamation against Nathaniel Mahipus, et al., for approval of the Provincial Fiscal only on January 24, 1980, when the offense had already prescribed.

Respondent admitted that he was well aware that the offense charged in the said criminal case would prescribe on January 7, 1980. However, he contends that the records of the case, including his resolution which was approved by the Provincial Fiscal, were received by him only January 17, 1980, when Mr. Emilio Deiparine, gave the said records to him. Furthermore, respondent contends that he was busy attending the trials of several criminal cases in court so he could not possibly have attended to the preparation of the information before January 7, 1980.

Under the facts proven in the present case, respondent is guilty of gross negligence and inefficiency. It may be true that the records of the criminal case in question were in the possession of Mr. Emilio Deiparine who apparently did not deliver the same to herein respondent before the offense charged in the said criminal case prescribed. But respondent admits that he was well aware that the offense charged in the said criminal case would prescribe on January 7, 1980, and he should have taken steps to obtain possession of the said records for the purpose of preparing and filing in court the information in the case. This he failed to do. His explanation that he was then busy with other criminal cases pending in court does not justify his gross neglect to prepare and file the information before the offense charged would prescribe.

WHEREFORE, and as recommended by the Minister of Justice, Mr. Jose L. Manulat is hereby suspended from office as Assistant Provincial Fiscal of Cebu for one (1) month without pay, effective upon receipt of a copy of this order, with a warning that repetition of similar offense will be dealt with more severely.

Done in the City of Manila, this 29th day of December, in the year of Our Lord, nineteen hundred and eighty-two.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **MANUEL M. LAZARO**
Presidential Assistant for Legal Affairs

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1982). *[Administrative Order Nos.: 439 - 504]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

ADMINISTRATIVE ORDER NO. 460
SUSPENDING MR. SALVADOR G. CAJOT FROM OFFICE AS ASSISTANT PROVINCIAL FISCAL
OF CAMARINES SUR.

This is an administrative case filed by Mrs. Clara Siguenza dela Vega against Assistant Provincial Fiscal Salvador G. Cajot of Camarines Sur for alleged slander, violation of lawyer's oath, and violation of Constitution and Civil Service rules and regulations. The charges were investigated by the Ministry of Justice.

The case stemmed from the administrative complaint filed by Mrs. Dela Vega with the Ministry of Justice on June 23, 1982. Complainant alleged that since 1957 and up to the filing of the complaint, respondent fiscal, without the requisite authorization from either the Ministry of Justice or the Office of the President, has been serving as Manager of the Philippine Loans and Credit Corporation (PHILCOR), a private concern engaged in the business of extending small loans in the sum of from ₱100 to ₱300. Complainant charged that respondent's actuation constitutes a violation of the Constitution and Civil Service rules and regulations.

Complainant further averred that respondent slandered her by calling her dishonest in public for her refusal to return the alleged overpayment of ₱500 she received from respondent's cashier-son, Electo Salvador Cajot, Jr.

Likewise, complainant claimed that respondent violated his oath as a lawyer not to make any groundless or false suit nor give aid or consent to the same by falsely charging her, through his cashier-son, with theft and/or estafa before the Naga City Fiscal's Office.

In his answer, respondent alleged, among others, that (a) he was already PHILCOR Manager long before his appointment as 4th Assistant Provincial Fiscal of Camarines Sur; (b) he never concealed in his information sheet or bio-data submitted on several occasions to the Ministry of Justice the fact that he is PHILCOR Manager; (c) PHILCOR was organized principally to assist small government employees obtain loans with legal rate of interest rather than from "loan sharks" who usually charge 10 to 20 per cent interest a month; (d) he only repaired to the PHILCOR office every after 5:00 P M to check the collection report of the cashier, but he seldom went thereto after a treasurer has been appointed; and (e) if he really used government time in managing the PHILCOR, he could not have consistently earned an efficiency rating of "Very Satisfactory".

Respondent also took exception to the charge that he carelessly and maliciously slandered complainant by publicly charging her with dishonesty. According to respondent, if said imputation were true, complainant should have filed a libel case in court to vindicate her honor and integrity. Respondent further insisted that the filing of the theft case against complainant by respondent's son is but a valid exercise of a legal right to seek redress of a wrong from the duly constituted authorities.

In sum, respondent maintained that the instant charges were resorted to by complainant as a leverage to secure the withdrawal of the complaint for theft filed against her by respondent's son.

After a careful study of the case, I agree with the Minister of Justice that the evidence presented are not sufficiently efficacious or overwhelmingly persuasive to sustain a finding of guilt vis-a-vis the charges of slander and violation of the lawyer's oath. Thus, complainant dismally failed to show that respondent uttered the alleged defamatory remark in public or within the earshot of at least one

person. The rule is settled that for an utterance or remark to be considered slanderous or defamatory, it should be made publicly or at least be heard by persons other than the speaker and the addressee (People vs. Prieto [CA], 71 O.G. 3251; People vs. Balbastro [CA], 47 O.G. 1297; People vs. Clarin [CA], 37 O.G. 1106).

What is more, complainant's testimony fails to inspire credence for not being corroborated and wanting in material details as to the date, time and place of the alleged utterance of the defamatory remark.

Anent the charge of violation of lawyer's oath, it was not respondent but his son who actually filed the criminal complaint for theft against complainant before the Naga City Fiscal's Office. Regardless of who between father and son initiated the complaint, I find nothing inherently wrong or legally objectionable therein inasmuch as the filing of the complaint was a valid exercise of a legal right, i.e., the right to seek redress of a wrong from the duly constituted authorities. After all, it has not been proven whether said complaint is in fact false or malicious because it is still pending preliminary investigation.

But be that as it may, I am persuaded that for holding on, without the required authority, to two different and antagonistic positions, one private and the other public, respondent violated Section 12 of Civil Service Rule XVIII prohibiting government employees from engaging directly in private business, vocation, or profession or being connected with any commercial, credit, agricultural or industrial undertaking without a written permission from the department (now Ministry) head. In this regard, Memorandum Circular No. 1025, dated November 25, 1977, provides that no official or employee of the government shall obtain or accept employment in any capacity in any private agency, office or institution without prior authority from the Office of the President.

Neither am I satisfied with respondent's explanation that he became Manager of PHILCOR long before his appointment as Assistant Provincial Fiscal and that he never concealed that fact in his information sheets submitted to the Ministry of Justice. As a bona fide member of the Bar, the better part of prudence should have prevailed upon respondent to either resign as PHILCOR Manager or secure the necessary permission to continue discharging the duties of said position.

WHEREFORE, and as recommended by the Minister of Justice, Assistant Provincial Fiscal Salvador Cajot of Camarines Sur is hereby suspended from office for three (3) months without pay, effective upon receipt of a copy of this Order.

Done in the City of Manila this 29th day of December, in the year of Our Lord nineteen hundred and eighty-two.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:
(Sgd.) MANUEL M. LAZARO
Presidential Assistant for Legal Affairs

Source: Malacañang Records Office

Office of the President of the Philippines. (1982). [Administrative Order Nos.: 439 - 504]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 461

**IMPOSING A FINE OF ONE (1) MONTH'S SALARY ON HORATHIO O. RAÑOLA AND
RICARDO S. SUMAWAY, ASSISTANT PROVINCIAL FISCALS OF RIZAL.**

This is an administrative case filed by Lydia Vicente against Horathio O. Rañola and Ricardo S. Sumaway, both Assistant Provincial Fiscals of Rizal. The complainant herein charged Fiscal Rañola with grave misconduct in office, and charged Fiscal Sumaway with gross ignorance of the law. In addition, the complainant charged both Fiscals with conspiracy to delay the resolution of I. S. No. 75-780 of the Office of the Provincial Fiscal of Rizal.

As borne by the records, on January 16, 1975, Lydia Vicente filed in the Office of the Provincial Fiscal of Rizal a criminal complaint for grave oral defamation against a certain Felicisima Javier. The complainant alleged that the crime was committed on September 7, 1974 or thereabouts. The case was docketed as I. S. No. 75-780, and assigned to Fiscal Rañola for preliminary investigation.

On February 21, 1975, or more than one month after the filing of the complaint, the opposing parties and counsels finally appeared before Fiscal Rañola, and submitted their respective affidavits and counter-affidavits. The case was then submitted for resolution.

On the following day, or February 22, 1975, Fiscal Rañola filed with the Rizal Provincial Fiscal a motion to inhibit himself from further handling I. S. No. 75-780, Fiscal Rañola explained that he was prosecuting another criminal case for oral defamation, docketed as Criminal Case No. 143-74, in the Municipal Court of Montalban, Rizal, wherein the accused is Lydia Vicente and the complaining witness is one Remedios Javier, the sister of the respondent in I. S. No. 75-780.

Fiscal Rañola's motion was approved by the Rizal Provincial Fiscal, and I. S. No. 75-780 was re-assigned to fiscal Sumaway. On March 7, 1975, Fiscal Sumaway conducted another hearing of the case for clarificatory question, after which the case was submitted for resolution.

On May 31, 1975, Fiscal Sumaway filed in the Municipal Court of Montalban, Rizal, an information for grave oral defamation docketed as Criminal Case No. 65-75. However, on June 26, 1975, the Court issued an Order dismissing the case on the ground that the crime, if any, had prescribed.

On account of the foregoing facts, on July 30, 1975, Lydia Vicente filed the present administrative case against Fiscals Rañola and Sumaway. A formal investigation was conducted by a State Prosecutor designated by then Secretary (now Minister) of Justice, and the respondent Fiscals presented evidence in their defense.

The Ministry of Justice found that, while he was either ignorant of the law nor motivated by malice, Fiscal Sumaway was negligent for allowing the crime under preliminary investigation in I.S. No. 75-780 to prescribe. The crime of grave oral defamation was allegedly committed on September 7, 1974, and under Article 90 of the Revised Penal Code, it prescribed six (6) months thereafter, i.e., on March 6, 1975. Thus, the Ministry of Justice found that when Fiscal Sumaway filed the information in court on March 31, 1975, the crime of grave oral defamation had already prescribed, and such prescription was attributable to Fiscal Sumaway's failure to timely resolve I. S. No. 75-780.

Similarly, the Ministry of Justice found that, while he may not have been guilty of misconduct, Fiscal Rañola should also be held responsible for the delay in the resolution of I. S. No. 75-780. The criminal complaint for grave oral defamation was filed on January 16, 1975, but Fiscal Rañola issued subpoena to the parties only on January 29, 1975, and conducted hearing only on February 21, 1975. Thus, the Ministry of Justice found that Fiscal Rañola's actuations violated Department (now Ministry) Circular No. 74, S. 1967. The Ministry of Justice further found that the grounds for inhibition invoked by Fiscal Rañola are not valid grounds, and that, even If they were, Fiscal Rañola Inhibited himself too late despite his manifest awareness of the existence of a related criminal case which he had been prosecuting since 1974.

As to the alleged conspiracy between the two respondent Fiscals, the Ministry of Justice found that there was none.

All things considered, the Ministry of Justice found that, by their separate acts, Fiscals Rañola and Sumaway caused the offense charged in I. S. No. 75-780 to prescribe. Hence, the then Secretary (now Minister) of Justice recommended that Fiscals Rañola and Sumaway be each fined in an amount equivalent to one (1) month's salary.

After carefully evaluating the evidence on record, this Office concurs in the findings and recommendation of the Ministry of Justice. Verily, the respondent Fiscals failed to measure up to the solemn principle enshrined in the Constitution that public office is a public trust, and that, as a corollary, public officers and employees shall serve with the highest degree of responsibility, integrity, loyalty and efficiency.

WHEREFORE, and as recommended by the Ministry of Justice, the respondents Horathio O. Rañola and Ricardo S. Sumaway, both Assistant Provincial Fiscals of Rizal, are hereby fined in an amount equivalent to one (1) month's salary.

Done in the City of Manila, Philippines, this 29th day of December, in the year of Our Lord, nineteen hundred and eighty-two.

(Sgd.) **FERDINAND E. MARCOS**

By Authority of the President:
(Sgd.) **MANUEL M. LAZARO**
Presidential Assistant for Legal Affairs

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1982). [*Administrative Order Nos.: 439 - 504*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 462

CONSIDERING JOSE B. CASTAÑO AS RESIGNED FROM THE SERVICE AS PUBLIC WORKS REGIONAL DIRECTOR, REGION IX-B, ZAMBOANGA CITY EFFECTIVE ON HIS LAST DAY OF DUTY WITH PAY.

This is an administrative case for dishonesty filed against Jose B. Castaño, CESO IV, Public Works regional Director, Region IX-B, for allegedly extorting Ten Thousand Pesos (₱10,000) as consideration for his approval of certain accomplishment reports relative to the construction of the Lamitan Emergency Hospital at Basilan City.

On January 7, 1960, a certain Orlando Santos, a construction contractor, sent a telegram to the then Minister of Public Works requesting the latter to hold in abeyance respondent's application for retirement, in view of a complaint he had filed with the Tanodbayan charging respondent with illegally receiving marked money in the amount of ₱10,000 in violation of the Anti-Graft and Corrupt Practices Act (RA 3019, as amended). This allegation was corroborated by a letter from the National Bureau of Investigation (NBI) informing the Ministry of Public Works that it had filed with the Tanodbayan an extortion-robbery case against Castaño who was allegedly caught on December 21, 1979 in the act of receiving marked money from a contractor named Orlando Santos.

On February 7, 1980, respondent was formally charged for dishonesty and preventively suspended from office effective February 15, 1960. Forthwith, the Minister of Public Works issued Ministry Order No. 80-11 dated February 7, 1960, creating an investigating committee composed of five (5) members, four of whom, like Castaño, were Career Executive Service Officers.

During the hearing of the case, the investigators established the following facts: At around 2:30 P.M. of December 21, 1979, complainant Orlando Santos filed with the NBI an extortion case against respondent. With the conformity of complainant, the NBI planned to entrap respondent by giving him money bills in the amount of ₱10,000 marked with ultra-violet powder. At around 4:30 P.M. of the same day, NBI agents proceeded to the MPW Regional Office placing themselves in strategic places. After respondent had signed complainant's accomplishment report, respondent signalled complainant to follow him to the comfort room where respondent received the marked money; that immediately thereafter, NBI agent Virgilio Mendez entered the comfort room and grabbed the money from respondent who was in the act of putting it inside his pocket. Upon examination of respondent's left hand he was found positive for ultra-violet powder. After his arrest, respondent voluntarily executed a sworn statement wherein he admitted having received the amount as a commitment of a certain Oscar Santos, brother of Orlando Santos, to help him meet his social obligations.

At the trial, respondent, however, interposed the defense that he received the amount for his driver, Ramon de Jesus. It was given allegedly as a loan, to help de Jesus with his night club business. This testimony was corroborated by de Jesus. Moreover, respondent presented an affidavit wherein complainant averred that he was withdrawing his complaint against respondent for humanitarian and other noble considerations.

Two issues were thus presented before the investigating committee, to wit: (1) whether or not the affidavit of desistance executed by complainant relieved respondent of his liability under the Anti-Graft and Corrupt Practices Act, and (2) whether or not the ₱10,000 received by respondent was extort money or a loan to Ramon de Jesus.

In its memorandum to the Minister of Public Works dated September 11, 1930, the Investigating Committee submitted the following findings and observations relative to the above-mentioned issues:

“FINDINGS AND OBSERVATIONS

With regard to the first issue, the defense contends that the case against respondent Regional Director Castaño should be dismissed by the withdrawal of the complaint by the complainant. It is well established in jurisprudence that desistance or withdrawal of the complaint does not ipso facto discharge the respondent from liability, especially when the charge can be proven by other evidence independent of the complainant, the reason being that ‘administrative offense affect not only rights of private individuals but also those of the public,’ (Adm. Case No. R-14920 vs. Amadeo L. Ortiz and AC No. R-992 vs. Benedicto N. Nuñez). Moreover, a close examination of the affidavit of desistance shows that the reason for such desistance sprung from the humanitarian reason and for lack of material time to pursue the case. Nowhere in the said affidavit and the complainant exculpate respondent of the offense charged.

The Committee, therefore, holds that the affidavit of desistance filed by complainant cannot discharge respondent from liability.

On the second issue, the Committee, after a close scrutiny of the evidences adduced during the formal hearing, believes that the amount of ₱10,000 received by Director Castaño was extort money and this conclusion is based on the following:

1. The affidavit of Director Castaño that he received the money to assist him in his social obligations.
2. The testimony of three (3) NBI Agents that the amount was received in consideration of the accomplishment report necessary for the collection of payment for the Lamitan Emergency Hospital.
3. The statement of Director Castaño that he was in a state of shock and despondency at the time he executed his sworn statement with the NBI is incredible, as the said statement was executed almost two (2) days after the fire and during the Thanksgiving celebration of the Regional Office which he heads.
4. The contention of Director Castaño that it was a loan is untenable for the following reasons:
 - a. For granting without, however, admitting that it was a loan, still the respondent cannot escape responsibility under the Anti-Graft and Corrupt Practices Act. This is so as paragraph (c) Section 3 of the same Act prohibits a public officer from:

‘(c) Directly or Indirectly requesting or receiving any gift, present, share, percentage, benefit, for himself or for any person, in connection with any contract or transaction between the Government and any other party, wherein the public officer in his official capacity has to intervene under the law.’

b. To our mind, to entertain the defense that it was a loan is an exercise in futility, for the following grounds: (1) As declared by the driver, the Crazy Horse Night Club has a gross earnings of ₱6,000 to ₱7,000 a night. With this amount alone, the need for a loan of ₱10,000 which is too meager is doubtful; (2) If the amount involved is really a loan, why was there no contract presented or any evidence of indebtedness introduced?; (3) If the amount of ₱10,000 was received by respondent in behalf of his driver, why did he have to receive the money in the comfort room? and why didn't respondent seek the help of the driver, who was in the MPW Compound at the time he was being brought to the NBI Office for interrogation? A man of ordinary prudence, if placed under the same circumstances as that of respondent, could have brought in his driver to testify on the alleged loan. The fact that he did not do so, although he could have easily done so, only goes to show that the alleged loan is not true. This is based on experience, logic and common sense.

The duplicate of the affidavit of Messrs. Oscar Santos and Wilfredo Tan cannot be given provative value as the original copies thereof were not presented."

"The Committee, after a painstaking evaluation of this case, believes that respondent demanded and received the amount of ₱10,000.00 as consideration for his signature in the accomplishment report for the Lamitan Emergency Hospital, in order to meet his social obligations."

Hence, in its Memorandum dated September 11, 1980, the Investigating Committee recommended that respondent be found guilty and, as a penalty, be considered resigned from the service, effective on his last day of duty with pay. This was concurred in by the Minister of Public Works in his letter to this Office dated September 26, 1980.

After a circumspect review of the case, I agree with the Minister of Public Works that the evidence on record amply supports the findings of fact and conclusion of the Investigating Committee and establishes beyond reasonable doubt the guilt of respondent. I am therefore constrained to mete upon the respondent the penalty as recommended.

WHEREFORE, the recommendation of the Investigating Committee, concurred in by the Ministry of Public Works, is hereby approved and Jose B. Castaño is accordingly considered resigned from the service effective on his last day of duty with pay.

Done in the City of Manila, this 6th day of January, in the year of Our Lord, nineteen hundred and eighty- three.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:

(Sgd.) **MANUEL M. LAZARO**

Presidential Assistant for Legal Affairs

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1983). *[Administrative Order Nos.: 439 - 504]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 463

AVAILING OF THE SERVICES OF JUSTICE JOSE C. CAMPOS, JR. DURING THE PERIOD
OF HIS AUTHORIZED LEAVE TO ACT AS ACTING CHAIRMAN OF THE BOARD OF
TRANSPORTATION.

WHEREAS, Justice Jose C. Campos, Jr. is on authorized leave from the Intermediate Appellate Court for a period of sixty (60) days;

WHEREAS, to avert any interregnum in the operations of the Board of Transportation pending the appointment of a new Chairman of the Board of Transportation, public service demanding that the services of Justice Jose C. Campos, Jr. be tapped on a temporary basis.

NOW, THEREFORE, in the interest of the public service and to obviate a hiatus in the operations of the Board of Transportation, Justice Jose C. Campos, Jr. of the Intermediate Appellate Court is hereby designated to continue discharging the functions and the duties vested by law as Chairman of the Board of Transportation until another shall have been appointed to the position.

Considering that he is on leave from the Intermediate Appellate Court and therefore temporarily relieved from any and all judicial duties while performing the function and duties as Acting Chairman of the Board of Transportation, he shall continue to receive salaries, emoluments and other allowances from the Intermediate Appellate Court and shall maintain his seniority in the Judiciary.

Done in the City of Manila, this 2nd day of February, in the year of our Lord, nineteen hundred and eighty-three.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) JUAN C. TUVERA
Presidential Executive Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1983). *[Administrative Order Nos.: 439 - 504]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 464

**CREATING AN EXECUTIVE COMMITTEE TO TAKE CHARGE OF THE PLANNING AND
EXECUTION OF COMMEMORATIVE ACTIVITIES FOR THE FALL OF BATAAN, FALL OF
CORREGIDOR AND BATTLE OF BESANG PASS.**

WHEREAS, the Fall of Bataan, Fall of Corregidor and Battle of Besang Pass are milestones in our nation's history and

WHEREAS, it is fitting and proper to commemorate these historic events with appropriate activities to impress upon our people the valor and sacrifices of those who fought and died during our struggle for freedom and democracy;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law do hereby constitute and create an Executive Committee to formulate and devise ways and means for the successful execution of appropriate activities for the commemoration of the anniversary of the Fall of Bataan, Fall of Corregidor and Battle of Besang Pass. The Committee shall be composed of the following:

The Chief of Staff Armed Forces of the Philippines- - - - -	Chairman
The Deputy Minister of Tourism Ministry of Tourism - - - - -	Co-Chairman
The Deputy Chief of Staff Armed Forces of the Philippines - - - - -	Vice-Chairman
The Administrator Philippine Veterans Affairs Office - - - - -	Member
The General Manager Philippine Tourism Authority - - - - -	Member
The Commanding General Philippine Army - - - - -	Member
The Flag Officer-In-Command Philippine Navy - - - - -	Member
The Deputy Chief of Staff for Operations Armed Forces of the Philippines - - - - -	Member
The Executive Vice-President Veterans Federation of the Philippines - - - - -	Member
The Special Assistant on Veterans Affairs Ministry of National Defense - - - - -	Member
The Chairman National Historical Institute - - - - -	Member
The Director National Media Production Center - - - - -	Member
The Deputy Minister Ministry of Public Works & Highways - - - - -	Member
The Commanding General Civil Relations Service, AFP - - - - -	Member
The National Commander Defenders of Bataan and Corregidor - - - - -	Member
The Chief Military Shrines Service, PVAO - - - - -	Member

The Committee is hereby authorized to call upon any ministry, bureau, office, agency or instrumentality of the Government for such assistance as it may need in the discharge of its duties and functions.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

Done in the City of Manila, this 10th day of March, in the year of Our Lord, nineteen hundred and eighty-three.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **MANUEL M. LAZARO**
Presidential Assistant for Legal Affairs

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1983). *[Administrative Order Nos.: 439 - 504]*. Manila: Malacañang Records Office.

OFFICE OF THE PRESIDENT OF THE PHILIPPINES
MALACANANG

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 465
CREATING A NATIONAL COMMITTEE TO TAKE CHARGE OF THE CELEBRATION OF
PHILIPPINE INDEPENDENCE DAY ON JUNE 12, 1983.

Pursuant to the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby create a national committee to take charge of the celebration of Philippine Independence Day on June 12, 1983.

The Committee shall be composed of the following:

The Minister of Education, Culture and Sports	Chairman
The Minister of the Budget	Vice-Chairman
The Director-General of Media Affairs	Member
The Presidential Assistant on National Minorities	Member
The Deputy Minister of Public Works and Highways	Member
The Deputy Minister of Labor and Employment	Member
The Deputy Minister of National Defense	Member
The Deputy Minister of Local Governments	Member
The Deputy Minister of Tourism	Member
The Deputy Minister of Human Settlements	Member
The Deputy Minister of Transportation and Communications	Member
The Deputy Minister of Muslim Affairs	Member
The Vice-Governor of the Metro-Manila Commission	Member
The Mayor of Manila	Member
The Chairman of the National Historical Institute	Member
The Executive Director of the National Commission on the Role of Filipino Women	Member
The President of the Philippine Association of Colleges and Universities	Member
The President of the Civic Assembly of Women of the Philippines ...	Member
The Presidential Protocol Officer	Member-Secretary

The Committee shall meet at the call of the Chairman and for the purpose of discharging its functions, may create its sub-committees as may be necessary.

The Committee is hereby authorized to call upon any department, bureau, office, agency or instrumentality of the Government, including government-owned or controlled corporations, for such assistance as it may need in the discharge of its duties and functions.

Done in the City of Manila, this 28th day of April, in the year of Our Lord, nineteen hundred and eighty-three.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **JUAN C. TUVERA**
Presidential Executive Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1983). *[Administrative Order Nos.: 439 - 504]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 466

DISMISSING HEGINO E. VILLONDO FROM OFFICE AS ACTING ASSISTANT CITY FISCAL OF QUEZON CITY, WITH FORFEITURE OF ALL BENEFITS DUE HIM.

On 24 February 1983, agents of the National Bureau of Investigation (NBI) apprehended Acting Assistant City Fiscal Hegino E. Villondo of Quezon City shortly after receiving bribe money from Atty. Vincent A. Robles.

The NBI investigation report shows that Fiscal Villondo issued a Resolution in I. S. No. 82-18495, dated December 29, 1982, dismissing the complaint of Claudia Elizabeth D. Gutierrez against May Avila for Estafa. When Atty. Robles filed a motion for reconsideration on behalf of the complainant, Fiscal Villondo demanded the sum of ₱5,000 in exchange for a reversal of his Resolution.

Atty. Robles tried to reduce the amount demanded by Fiscal Villondo to ₱3,000.00. When Fiscal Villondo turned down his counteroffer, Atty. Robles complained to the Tanodbayan who, in turn, referred the case to the NBI. Fiscal Villondo's entrapment was then arranged.

Accordingly, Atty. Robles with ₱5,000.00 in cash, consisting of 50 marked pieces of 100-peso bills, met Fiscal Villondo at the latter's office on 24 February 1983. The two went to the men's comfort room of the Quezon City Fiscal's office where the payoff was made. Immediately thereafter, Fiscal Villondo was arrested by NBI agents.

After the legal requirements had been complied with, an Information was filed with the Sandiganbayan, accusing Fiscal Villondo of violation of Section 3, Paragraph (b) of Republic Act No. 3019, otherwise known as the Anti-Graft and Corrupt Practices Act. The case was docketed as Criminal Case No. 7299, with the bail bond for Fiscal Villondo's provisional liberty fixed at ₱10,000.00.

On 8 March 1983, after duly examining the evidence against Fiscal Villondo, the Minister of Justice recommended the immediate separation of Fiscal Villondo from office, with forfeiture of all benefits due him.

Verily, a Fiscal's position is crucial to the public interest, to the country's political system, and to the people's security. Directly facing an alleged offender as well as the offended party, by the nature of his office, a Fiscal vividly personifies the sovereign powers of government as a dispenser of justice. When he breaks the public trust reposed upon him, a Fiscal erodes the people's faith in the administration of justice. For, public office is a public trust; public officers and employees shall serve with the highest degree of responsibility, integrity, loyalty and efficiency, and shall remain accountable to the people (Sec. 1, Art. XIII, 1973 Constitution).

Therefore, Fiscal Villondo's immediate dismissal from the service is most imperative. After all, his appointment, being in an acting capacity, is temporary in character and terminable at the pleasure of the appointing power (See: *Mendiola vs. Tancinco*, 52 SCRA 66, 71, citing: *Esquillo vs. Subido*, 29 SCRA 30, 32; *Barangan vs. Hernando*, 27 SCRA 239; *Santos vs. Chico*, 25 SCRA 343, 346; *Jimenea vs. Ganzon*, 22 SCRA 226, 229; *Montero vs. Castellanes*, 59 O.G. 1741; *UP vs. CIR*, 58 O.G. 1536; *Quitquit vs. Villacorta*, L-15048, April 29, 1960; etc.; see also: *Austria v. Amante*, 79 Phil. 780,

784; Castro v. Solidum, 97 Phil. 278, 280; Mendez v. Ganzon, 101 Phil. 48, 51; Cuñado v. Gamus, 8 SCRA 77,84).

WHEREFORE, and as recommended by the Minister of Justice, Hegino E. Villondo is hereby dismissed from office as Acting Assistant City Fiscal of Quezon City, effective upon receipt of a copy of this Administrative Order, with forfeiture of all benefits due him.

SO ORDERED.

DONE in the City of Manila, this 28th day of April, in the year of Our Lord, nineteen hundred and eighty-three.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) MANUEL M. LAZARO

Presidential Assistant for Legal Affairs

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1983). *[Administrative Order Nos.: 439 - 504]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 467
CREATING A COMMITTEE TO REVIEW AND DETERMINE THE STATUS OF PERSONS
ARRESTED AND/OR DETAINED BY VIRTUE OF THE PRESIDENTIAL COMMITMENT
ORDER (PCO) OR ITS DERIVATIVES.

A Committee is hereby created to review and determine the status of persons arrested and/or detained by virtue of the Presidential Commitment Order (PCO) or its derivatives for the purpose of recommending to the President whether said PCO's should be lifted and/or a case be filed in court and/or to expedite the hearing of the cases pending in court.

The Committee shall be composed of the following:

The Minister of National Defense, as Chairman;
The Chief of Staff, Armed Forces of the Philippines, as Vice-Chairman;
The Chief of the Philippine Constabulary, as Member; and
The Chief of Intelligence Security, AFP, as Member.

The Presidential Executive Assistant shall establish a Secretariat and shall be authorized to detail any personnel from any government office to assist the Committee and/or its sub-committee/s for the duration of the completion of the purposes of this Administrative Order.

DONE in the City of Manila, this 22nd day of July, in the year of Our Lord, nineteen hundred and eighty-three.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) JUAN C. TUVERA
Presidential Executive Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1983). *[Administrative Order Nos.: 439 - 504]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 468
CREATING A COMMITTEE TO REVIEW AND DETERMINE THE STATUS OF PERSONS
ARRESTED AND/OR DETAINED BY VIRTUE OF THE PRESIDENTIAL COMMITMENT
ORDER (PCO) OR ITS DERIVATIVES.

A Committee is hereby created to review and determine the status of persons arrested and/or detained by virtue of the Presidential Commitment Order (PCO) or its derivatives for the purpose of recommending to the President whether said PCO's should be lifted and/or a case be filed in court and/or to expedite the hearing of the cases pending in court.

The Committee shall be composed of the following:

Justice Ruperto Martin	–	Chairman
Minister Juan Ponce Enrile	–	Vice-Chairman
Justice Guillermo Santos	–	Member
Justice Manuel M. Lazaro	–	Member
Justice Sixto Domondon	–	Member

The Presidential Executive Assistant shall establish a Secretariat and shall be authorized to detail any personnel from any government office to assist the Committee and/or its sub-committee/s for the duration of the completion of the purposes of this Administrative Order.

DONE in the City of Manila, this 22nd day of July, in the year of Our Lord, nineteen hundred and eighty-three.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) JUAN C. TUVERA
Presidential Executive Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1983). *[Administrative Order Nos.: 439 - 504]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 469

**CREATING A FACT-FINDING COMMISSION WITH PLENARY POWERS TO INVESTIGATE
THE CIRCUMSTANCES SURROUNDING THE ASSASSINATION OF FORMER SENATOR
BENIGNO S. AQUINO JR., AND ALLOW A FREE, UNLIMITED AND EXHAUSTIVE
INVESTIGATION INTO ALL ASPECTS OF THE TRAGEDY**

To prevent any suspicion of a whitewash or of bias and partiality in the investigation of the events surrounding the tragic death of former Senator Benigno Aquino, Jr., a Commission is hereby created and empowered to determine all the facts concerning the assassination and to gather all investigative agencies and utilize them in order to allow a free, unlimited, and exhaustive investigation into all aspects of the above-mentioned tragedy.

The Commission shall have plenary powers, including the power to call/invite witnesses and to obtain compulsory powers to produce any document, equipment or person in the performance of its mission.

The Commission shall submit its findings directly to the President of the Philippines.

This Order is also in relation to a separate order issued placing the entire AVSECOM group in the Manila International Airport under confinement to quarters.

The Commission shall be composed of the following:

- | | | |
|--|----|----------|
| 1. Chief Justice Enrique Fernando | -- | Chairman |
| 2. Former Chief Justice Roberto Concepcion | -- | member |
| 3. Former Justice Ruperto Martin | -- | member |
| 4. Former Justice Guillermo Santos | -- | member |
| 5. Former Justice Felix Antonio | -- | member |

The Presidential Executive Assistant shall establish a Secretariat and shall be authorized to detail any person from any government office to assist the Commission for the duration of the completion of the purposes of this Administrative Order.

Done in the City of Manila, this 24th day of August, in the year of Our Lord, nineteen hundred and eighty-three.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) JUAN C. TUVERA
Presidential Executive Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1983). *[Administrative Order Nos.: 439 - 504]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 470

AMENDING ADMINISTRATIVE ORDER NO. 469 ENTITLED “CREATING A FACT-FINDING COMMISSION WITH PLENARY POWERS TO INVESTIGATE THE CIRCUMSTANCES SURROUNDING THE ASSASSINATION OF FORMER SENATOR BENIGNO S. AQUINO, JR., AND ALLOW A FREE, UNLIMITED AND EXHAUSTIVE INVESTIGATION INTO ALL ASPECTS OF THE TRAGEDY”

The composition of the fact-finding commission to investigate the circumstances surrounding the assassination of former Senator Benigno S. Aquino, Jr. is hereby amended as follows:

- | | |
|--|----------|
| 1. Chief Justice Enrique Fernando ----- | Chairman |
| 2. Former Justice Julio Villamor ----- | member |
| 3. Former Justice Ruperto Martin ----- | member |
| 4. Former Justice Guillermo Santos ----- | member |
| 5. Former Justice Felix Antonio ----- | member |
| 6. Two (2) members to be designated by the Batasang Pambansa | |

Done in the City of Manila, this 22nd day of September, in the year of Our Lord, nineteen hundred and eighty-three.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **JUAN C. TUVERA**
Presidential Executive Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1983). *[Administrative Order Nos.: 439 - 504]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

ADMINISTRATIVE ORDER NO. 471

**ADMINISTRATIVE CASE AGAINST ASSISTANT CITY FISCAL SANTIAGO C. MALIWANAG OF
OLONGAPO CITY FOR IRREGULARITY RESULTING IN INJUSTICE.**

This is an administrative case filed by Pedro Vergara against Assistant City Fiscal Santiago C. Maliwanag of Olongapo City for alleged irregularity committed in connection with a criminal complaint assigned to the latter for preliminary investigation.

Records show that in a complaint filed with the City Fiscal's Office of Olongapo City, Pedro Vergara charged a certain Recto Amigable as accessory to the crime of qualified theft. The case was assigned to respondent for preliminary investigation. Although the investigation was terminated as early as July 1969, respondent filed the corresponding information in court only on February 1973.

In his written answer dated July 6, 1973, respondent did not dispute the material allegations in the complaint. He attributed, however, the delay in the filing of the criminal information to his sincere desire to help complainant, so much so that even though he believed, after the preliminary investigation, that no sufficient evidence exist against Amigable, he (respondent) deferred resolving the case. Moreover, respondent claimed that the volume of office work prevented the early disposition of the case. The situation was aggravated by the fact that from December 1969 to May 1970, he was directed to proceed to Mindanao to assist in the investigation and prosecution of all offenses committed in connection with the 1969 national elections.

After due investigation, then Secretary of Justice Vicente Abad Santos found that "respondent fiscal was careless, to say the least, in not acting immediately on the subject case;" that as "early as July 1969 when the investigation was terminated, respondent fiscal could have dismissed the case after a finding that there was insufficient evidence against respondent [Amigable]," and yet "he chose to let it remain pending almost indefinitely;" that while it could not be overlooked that at one time respondent was taken away from his station to different provinces in the South to do a special assignment, "such fact cannot make him any less guilty for he reported back to his station in mid-1970, after which he had ample time to resolve the case;" and that his having allowed two and a half years to pass since reporting back to office in 1970 before he acted on the case, constituted a gross violation of Department of Justice Circular No. 74, s. 1967, prescribing the time limit for the disposition of criminal case under preliminary investigation.

For the violation, Secretary Abad Santos recommended that respondent be fined the equivalent of one month salary with a warning that similar violations in the future shall be dealt with more severely.

After a careful review, I find the observations and recommendation of the then Secretary of Justice to be well taken. The delay of more than two and a half years, reckoning from the time respondent reported back to his station in mid-1970, before filing the necessary information in court is indeed unreasonable as to deserve condemnation. His desire to help complainant herein hardly constitutes an excuse. Respondent could have resolved the case as early as July 1969, when he believed that there was no sufficient evidence against Amigable, as, anyway, the case could be refiled anytime when adequate and satisfactory evidence had been discovered and presented. By the actuations of respondent the administration of justice suffered an irretrievable setback. He must, therefore, be held administratively liable.

WHEREFORE, and as recommended by the Secretary (now Minister) of Justice, Assistant City Fiscal Santiago C. Maliwanag of Olongapo City is hereby fined the equivalent of his one month salary and warned that similar violations in the future shall be dealt with more severely.

Done in the City of Manila, this 6th day of October, in the year of Our Lord, nineteen hundred and eighty-three.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **MANUEL M. LAZARO**
Presidential Assistant for Legal Affairs

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1983). [*Administrative Order Nos.: 439 - 504*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 472
CREATING THE SPECIAL RIZAL DAY COMMEMORATION COMMITTEE.

By virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, in order to ensure the successful commemoration throughout the Philippines of this year's death anniversary of Dr. Jose Rizal on December 30, 1983, do hereby create a special committee to take charge of all arrangements for the activities composed of the following:

The Minister of Education and Culture	–	Chairman
The Deputy Minister of National Defense	–	Vice-Chairman
The Director General of the Office of Media Affairs	–	Member
The Associate Justice of the Supreme Court & concurrently Supreme Commander, Knights of Rizal	–	Member
The Deputy Minister of Public Works & Highways	–	Member
The Deputy Minister of Trade and Industry	–	Member
The Deputy Minister of Local Government	–	Member
The Deputy Minister of Tourism	–	Member
The Deputy Minister of the Budget	–	Member
The Mayor of Manila	–	Member
The Chairman of the National Historical Institute	–	Member
The Executive Director of the National Commission on the Role of Filipino Women	–	Member
The President of the Civic Assembly of Women of the Philippines	–	Member
The Vice-Chairman of the National Parks Development Committee	–	Member
The Assistant Presidential Protocol Officer	–	Member-Secretary

The Committee shall meet at the call of the Chairman and, for the purpose of discharging its functions, may create such sub-committees as may be necessary.

The Committee is hereby authorized to call upon any ministry, bureau, office, agency or instrumentality of the government, including government-owned or controlled corporations, for such assistance as it may need in discharging its duties and functions.

Done in the City of Manila, this 7th day of December, in the year of Our Lord, nineteen hundred and eighty-three.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **JUAN C. TUVERA**
Presidential Executive Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1983). *[Administrative Order Nos.: 439 - 504]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

ADMINISTRATIVE ORDER NO. 473
CONFIRMING THE DESIGNATION OF THE OFFICE OF THE GOVERNMENT CORPORATE
COUNSEL AS TRUSTEE OF CEPOC INDUSTRIES, INC.

WHEREAS, with the expiration of the corporate existence of CEPOC Industries, Inc. on January 6, 1976, the Board of Directors thereof was directed by this Office to wind up the affairs of the corporation, from January 6, 1976 to January 5, 1979, which period was subsequently extended to July 5, 1981;

WHEREAS, notwithstanding the lapse of the extended liquidation period certain accounts to and obligations payable by CEPOC Industries, Inc. remain outstanding;

WHEREAS, the Board of Directors of CEPOC Industries, Inc. adopted on July 3, 1981 Resolutions Nos. 27-81 and 28-81 appointing, subject to the approval of the President of the Philippines, the Development Bank of the Philippines (DBP), or in case it refuses the appointment, the Office of the Government Corporate Counsel, as trustee to continue the prosecution or defense of suits and claims by or against CEPOC Industries, Inc. and to collect accounts due and to pay obligations payable by CEPOC Industries, Inc.;

WHEREAS, DBP having refused the appointment, it now devolves upon the Office of the Government Corporate Counsel to act as trustee of CEPOC Industries, Inc. by virtue of the aforementioned Resolutions;

WHEREAS, unless the appointment of the Office of the Government Corporate Counsel as trustee is confirmed by this Office the aforementioned accounts due to CEPOC Industries, Inc. can not be collected and the obligations payable can not be paid;

WHEREAS, as the statutory legal counsel for CEPOC Industries, Inc. the Office of the Government Corporate Counsel is conversant with the circumstances of the accounts of the corporation;

NOW, THEREFORE, by virtue of the powers vested in me by the Constitution, I hereby confirm the appointment of the Office of the Government Corporate Counsel as trustee in liquidation of CEPOC Industries, Inc. subject to the terms and conditions of Resolutions Nos. 27-81 and 28-81 dated July 3, 1981 of the Board of Directors of the Corporation.

As trustee in liquidation the Office of the Government Corporate Counsel is hereby vested with all the powers conferred by law upon trustees, including the following:

(a) To demand, collect, receive and issue receipts for all payments and obligations due CEPOC Industries, Inc. and to deposit the same with any authorized Government depository bank. Interests earned from such deposit shall accrue to and become part of the account of CEPOC Industries, Inc., any provision of law to the contrary notwithstanding;

(b) To pay and settle all debts and obligations of CEPOC Industries, Inc. as finally determined by competent Government authorities;

(c) To render a report to the Office of the President of all receipts and disbursements;

(d) To charge and collect, by way of fees for services rendered as trustee and as legal counsel, the sum equivalent to ten per centum (10%) of the total amount collected by it, to cover expenses of documentation, litigation, transportation, representation and miscellaneous services in connection

with the performance of its duties as trustee and legal counsel, and for such other purposes as the Government Corporate Counsel may determine;

(e) To hire on contract basis any former official of CEPOC Industries, Inc. and other personnel as may be necessary, to assist it in the performance of its duties as trustee, whose compensations shall be charged against the funds collected;

(f) To turn over the residue of the collections after payment of all debts and obligations, including fees and compensations, to the General Fund.

Done in the City of Manila, Philippines, this 17th day of December, in the year of Our Lord, Nineteen Hundred and Eighty Three.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) JUAN C. TUVERA

Presidential Executive Assistant

Source: Malacañang Records Office

Office of the President of the Philippines. (1983). *[Administrative Order Nos.: 439 - 504]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

ADMINISTRATIVE ORDER NO. 474
REINSTATING MR. GODOFREDO M. TRINCHERA AS CITY ENGINEER OF ORMOC CITY.

This refers to the petition of Mr. Godofredo M. Trinchera, former City Engineer of Ormoc, for reconsideration of the decision of this Office dated April 2, 1979, which was reiterated in a Resolution of this Office dated May 30, 1980, granting him executive clemency in the sense that he is eligible for reemployment or reappointment in the government service and that whatever civil service eligibilities cancelled under the President's Administrative Order No. 97 dated December 4, 1967 are restored, and that if he does not return to the service he is likewise entitled to the payment of whatever employee benefits that might have accrued under existing laws.

In said petition for reconsideration dated August 21, 1980, Mr. Trinchera requests for immediate reinstatement as City Engineer of Ormoc and Ex-Officio Highway District Engineer of the Second Highway Engineering District of Leyte, or to a position in the government service for which he is qualified, and for the payment of his back salaries and other emoluments and benefits due him from January 15, 1967, the effective date of his suspension and removal, up to the date of his actual reinstatement pursuant to Section 7, Rule VI of the Civil Service Rules on Personnel Actions and Policies, Series of 1975. In effect he is asking for the setting aside of Administrative Order No. 97 dated December 4, 1967, wherein he was found guilty of malversation of public funds on three counts, illegal use of government property and violation of Republic Act No. 3019 (Anti-Graft and Corrupt Practices Act), and was accordingly removed from office.

However, from the very outset and up to the present, Mr. Trinchera had always insisted on his innocence of the charges against him as manifested in his Motion for Reconsideration of Administrative Order No. 97 and subsequent letters to this Office. He pointed out therein the lack or insufficiency of evidence to support the decision, and the errors in the findings of fact which were either contradicted by the evidence or based on matters extraneous to the complaint. After a careful review of the records of this case, I find merit on the points raised by Mr. Trinchera. To invoke now the principle of estoppel against him would run counter to the origin and purpose of the doctrine of estoppel which is equity, and based on moral rights and natural justice (43 Phil. Rep. p614). Moreover, we take cognizance of Mr. Trinchera's desire to do his share in our development programs and in our efforts of nation building. Conformably, therefore, with our commitment for compassion and justice whenever man's survival, dignity and honor are involved, I deem it propitious to rectify whatever injustice Mr. Trinchera may have suffered through all these years.

In view of the foregoing, Administrative Order No. 97 dated December 4, 1967, and the decision of this Office dated April 2, 1979, and Resolution dated May 30, 1980, are hereby revoked and set aside, and that Mr. Godofredo M. Trinchera is hereby reinstated as City Engineer of Ormoc or to a position in the government service to which he is qualified without payment of back salaries and other benefits.

Done in the City of Manila, this 23rd day of January, in the year of Our Lord, nineteen hundred and eighty-four.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **JOAQUIN T. VENUS, JR.**
Deputy Presidential Executive Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1984). *[Administrative Order Nos.: 439 - 504]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 475
DISMISSING MR. GERVACIO C. ALVEZ FROM OFFICE AS CITY TREASURER OF
TOLEDO CITY.

This is an administrative case filed against City Treasurer Gervacio C. Alvez of Toledo City for dishonesty and violation of reasonable office regulations. The charges were investigated by a committee of the Department (now Ministry) of Finance which found the respondent guilty of such charges and recommended the latter's dismissal from office.

The case stemmed from a report dated February 23, 1976, of Regional Office No. VII of the Commission on Audit in Cebu City which revealed that certain irregularities in the office of the City Treasurer of Toledo City were discovered during the examination of the cash and accounts of City Treasurer Gervacio C. Alvez and other accountable officers in the said Treasury office (Exhibit "A"). After a preliminary examination and evaluation by the Department of Finance of the aforementioned COA report, a formal charge was lodged on April 1, 1976 against City Treasurer Alvez for Dishonesty and Violation of Reasonable Office Regulations. In the charge, it was stated that Mr. Gervacio C. Alvez misappropriated government funds in the amount of (a) ₱15,000 purportedly used for paying wages of laborers and (b) ₱108,934.22 which was allowed to be disbursed through payments of vouchers and documents which were found not to be valid under existing auditing regulations. Although the respondent restituted (a) the amount of ₱15,000 as evidenced by official receipt No. 6060003 (Exh. "20") and (b) a part of the amount of ₱108,934.22 of the second embezzlement as shown by several official receipts (Exh. "4" to "20"), the acts of misappropriation still exist and he cannot escape responsibility and should be made liable for such dishonesty and gross violation of the honor and dignity of his office.

WHEREFORE, as recommended by the investigating committee, Mr. Gervacio C. Alvez is hereby dismissed from office as City Treasurer of Toledo City, effective upon receipt of a copy of this order.

DONE in the City of Manila, this 24th day of January, in the year of Our Lord, nineteen hundred and eighty-four.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **MANUEL M. LAZARO**
Presidential Assistant for Legal Affairs

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1984). *[Administrative Order Nos.: 439 - 504]*. Manila: Malacañang Records Office.

MALACANANG

RESIDENCE OF THE PRESIDENT
OF THE PHILIPPINES
MANILA**ADMINISTRATIVE ORDER NO. 476**
SUSPENDING ASSISTANT PROVINCIAL FISCAL FELIPE ARCIGAL, JR. OF LAGUNA
FOR A PERIOD OF THREE (3) MONTHS WITHOUT PAY.

This refers to the administrative complaint filed by Engr. Mariano Berroya, Jr. against Assistant Provincial Fiscal Felipe Arcigal, Jr. of Laguna, for oppression, inefficiency, incompetence and conduct prejudicial to the best interest of the service.

On July 30, 1979, the Ministry of Justice issued Circular No. 27, directing all Fiscals to forward to the Tanodbayan all complaints cognizable by the Sandiganbayan either exclusively or concurrently with the regular Courts.

Sometime in July 1980, the Provincial Government of Laguna, represented by the Acting Provincial Attorney, filed a complaint against Engr. Berroya, Jr., for violation of the Article 177 (Usurpation of Authority or Official Functions) of the Revised Penal Code. The complaint was docketed in the Fiscal's Office as I.S. No. SC-27, S'80.

On July 7, 1980, Fiscal Arcigal, Jr. issued an order stating that "a perusal of the evidence presented before the undersigned disclosed that there exists a probable cause and that the offense charged has been committed and that the respondent (herein complainant) is probably responsible thereof."

In his letter dated July 31, 1980, Engr. Berroya, Jr. assailed the jurisdiction of Fiscal Arcigal, Jr. to conduct I.S. No. SC-27, S'80, stating " * * * by virtue of PD No. 1607, the Tanodbayan through the Office of the Chief Special Prosecutor, has the exclusive authority to conduct the preliminary investigation, to file information and to direct and control the prosecution of cases like the complaint against me (Sec. 10 of PD)".

On April 27, 1981, Fiscal Arcigal, Jr. issued an Order stating that: (a) the crime charged was committed long before the organization of the Tanodbayan; and (b) the complaint was filed when respondent was no longer connected with the Provincial Government of Laguna. Accordingly, Fiscal Arcigal, Jr. concluded that "this Office (Office of the Provincial Fiscal of Laguna) has jurisdiction to entertain and take cognizance of above-entitled case."

Even before the issuance of the aforementioned Order of Fiscal Arcigal, Jr., Engr. Berroya, Jr. had already filed the instant administrative complaint on March 23, 1981. In his complaint, the herein complainant claimed that the acts of respondent Fiscal prejudiced him because the case was exclusively within the jurisdiction of the Tanodbayan; that the issuance by respondent Fiscal of a "probable cause" Order was based on the Affidavit of Eleuterio Valenciano, which was executed only on July 11, 1980; and that the termination of I.S. No. SC-27, S'80 was unduly delayed, as the order of dismissal was issued by respondent only on April 27, 1981, or more than nine months after the filing of the criminal complaint.

After due hearing, the Minister of Justice found that Fiscal Arcigal, Jr. had taken cognizance of the case without being deputized as Special Prosecutor of the Tanodbayan, despite the previous issuance of Circular No. 27, dated July 30, 1979, and that Fiscal Arcigal, Jr. could not have possibly scrutinized all

listed documents on July 7, 1980, as he claimed, because the Affidavit of Eleuterio Valenciano showed on its face that it was executed only on July 11, 1980. Thus, the Minister of Justice concluded that Fiscal Arcigal, Jr. did not exercise sound discretion, was less than thorough, and did not display the proper measure of conscientious caution in the discharge of his duties. Accordingly, the Minister of Justice recommended that Fiscal Arcigal, Jr. be suspended from office for three (3) months without pay.

After a review of the substantial evidence on record, this Office concurs in the findings and recommendation of the Ministry of Justice.

WHEREFORE, and as recommended by the Minister of Justice, respondent Assistant Provincial Fiscal Felipe Arcigal, Jr. of Laguna, is hereby suspended from office for a period of three (3) months without pay, effective upon receipt of a copy of this Order.

Done in the City of Manila, this 30th day of January, in the year of Our Lord, nineteen hundred and eighty-four.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:

(Sgd.) **MANUEL M. LAZARO**

Presidential Assistant for Legal Affairs

Source: **Malacañang Records Office**

Marcos, F. E. (1964). Administrative Order No. 476: Suspending Assistant Provincial Fiscal Felipe Arcigal, Jr. of Laguna for a period of three (3) months without pay. *Official Gazette of the Republic of the Philippines*, 80(10), 1421-1423.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 477
IMPOSING ON ASSISTANT CITY FISCAL RICARDO P. ESCUETA OF QUEZON CITY A FINE
EQUIVALENT TO FOUR (4) MONTHS' PAY.

This is an administrative complaint initiated by Vidal Amojelar against Assistant City Fiscal Ricardo P. Escueta of Quezon City for alleged notorious and disgraceful conduct in connection with the preliminary investigation of I.S. Nos. 14108-70 and 484-71, which were then pending before the latter.

Complainant alleged that respondent, in conducting said preliminary investigation committed the following: (1) respondent had set a date for preliminary investigation with notice to both parties, but conducted the same ahead of the scheduled date of hearing; (2) respondent falsified a public document by representing that both parties failed to appear on the scheduled date of investigation when in truth the scheduled date was moved ahead without notifying both parties; (3) complainant was not furnished a copy of respondent's resolution; (4) respondent indiscriminately granted postponements at the instances of the adverse party despite the vigorous objections of the complainant; (5) respondent filed an information for acts of lasciviousness against complainant without conducting a preliminary investigation; (6) respondent incited the adverse party to file a complaint for acts of lasciviousness against complainant; (7) respondent was partial to the adverse party and had interest in railroading the case against complainant; and (8) respondent exercised his discretion in an abusive and vindictive manner.

After the formal investigation of the complaint, respondent was found guilty of serious violation of Circular No. 61 of the Department of Justice, dated September 9, 1970, for having failed to furnish the complainant or his counsel copies of his resolution in connection with the preliminary investigation conducted by him on the criminal case filed by the parties against each other. He was also found guilty of having (1) failed to resolve a motion to dismiss filed by Amojelar's counsel seeking the dismissal of the charges of trespass to dwelling and attempted rape, (2) dropped the trespass to dwelling charge without making any resolution and (3) dropped the attempted rape charge and filed instead a complaint for acts of lasciviousness without resolution.

When the instant case was being reviewed by this Office, it received: (1) an affidavit dated November 26, 1974, of respondent's clerk-secretary, Antonio C. Mendoza, declaring, among other things, that "all the cases assigned to Fiscal Escueta are covered by and accompanied with resolution as it is a routine procedure in the Fiscal's Office of Quezon City without which the information will be returned to the fiscal concerned for the execution of the necessary resolution"; (2) a certification dated November 27, 1974, of then Quezon City Fiscal Justiniano P. Cortez to the effect that "pursuant to Circular No. 61 dated September 9, 1970, of the Department of Justice, reiterated in a circular of Chief State Prosecutor Rodolfo A. Nocon dated September 12, 1973, fiscals have been enjoined to prepare and submit sufficient copies of their resolutions on the cases the investigation of which have been terminated as the parties thereto may be furnished with copies thereof"; (3) the affidavit of complainant Fulgencia Partida in I.S. Nos. 14108-70 and 484-71 dated December 4, 1974, purporting

the confirm respondent's issuance of two resolutions dismissing the counter-complaint filed by Vidal Amojelar whom she charged with attempted rape, trespass to dwelling, threats and malicious mischief, and filing the complaint for acts of lasciviousness while dropping her other charge for trespass to dwelling, respectively, and further acknowledging her receipt of the corresponding resolution.

The affidavits of Antonio C. Mendoza and Fulgencia Partida as well as the certification of City Fiscal Cortez were referred to then Secretary of Justice Vicente Abad Santos for the latter to conduct a reinvestigation in the light of the three documents.

The Secretary of Justice, however, found no justification to warrant a reinvestigation, and returned the papers to this Office with the following comment:

“It is easy to see that the affidavit of Antonio C. Mendoza and the certification of City Fiscal Cortez do not at all meet the issue raised in this case against respondent fiscal, which is respondent fiscal's failure to furnish the complainant or his counsel a copy of the resolution on the preliminary investigation conducted by him in the criminal cases filed by the parties therein. Fulgencia Partida's statement that herein complainant Amojelar must be 'lying when he said that he did not receive a copy of that resolution because I received mine', is equally extraneous to the issue raised, for the only thing this statement proves is that she did receive a copy of the resolution, if such be the fact, but it does not necessarily prove that respondent fiscal likewise furnished herein complainant or his counsel a copy of the resolution in question or that the latter did actually receive a copy of that resolution.”

After serious deliberation, I can not contemplate of any sufficient justification to deviate from the findings of Secretary Abad Santos. Indeed, evidence has amply established the serious violations by respondent of the aforementioned Circular No. 61 which he is sworn to strictly follow.

WHEREFORE, Assistant City Fiscal Ricardo P. Escueta of Quezon City is hereby fined in an amount equivalent to four (4) months' salary effective upon receipt of a copy of this Order. He is also warned that repetition of the same or similar offenses will be dealt with more severely.

Done in the City of Manila, this 30th day of January, in the year of Our Lord, nineteen hundred and eighty-four.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **MANUEL M. LAZARO**
Presidential Assistant for Legal Affairs

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1984). *[Administrative Order Nos.: 439 - 504]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER 478
IMPOSING A FINE ON MR. ARTURO P. RICAFORTE, REGISTER OF DEEDS OF BUTUAN CITY

This is an administrative case filed by the Acting Commissioner, National Land Titles and Deeds Registration Administration (NLTDRA, formerly Land Registration Commission), against Mr. Arturo Ricaforte, Register of Deeds of Butuan City.

Respondent stands charged of alleged violation of Department (Ministry) of Finance Order No. 20-73, dated June 14, 1973, as amended by Joint Circular No. 1-81, dated January 1, 1981, of the Commission on Audit and the Ministry of Finance, for failure to deposit/remit on time the collections of his Registry with the Bureau of Treasury or to an authorized government depository bank.

The case stemmed from the letter, dated October 22, 1981, of Ms. Floresa Simbajon, Acting Treasury Regional Director, Region X, Cagayan de Oro City, advising respondent that he had unremitted collections of ₱71,100.00 as of August 31, 1981. By a 1st Indorsement, dated February 23, 1982, the Minister of Justice transmitted to the then Land Registration Commission a copy of the aforementioned letter.

On the basis thereof, respondent was formally charged by the Acting Land Registration Commissioner on March 10, 1982 with violation of Finance Department Order No. 20-73 and Joint Circular No. 1-81 of the Commission on Audit and the Ministry of Finance for failure to deposit/remit on time his registry collections in the amount of ₱71,100.00.

In his answer, dated April 5, 1982, respondent did not deny the charge, but manifested that he had already remitted the full amount of ₱71,100.00 on September 1 and 22, 1981, regarding which the Acting Treasury Regional Director, through his Provincial Fiscal Examiner, had been duly informed. As to the causes of the delay in the remittance of the amount, respondent explained that they were brought about by the typhoon that ravaged Butuan City for two months, the holding of the plebiscite and the presidential election, the energization of Butuan City and the celebration of the city fiesta.

Respondent further admitted that he was aware of Commission on Audit Circular No. 82-A, dated October 4, 1963, requiring him to remit his collections to authorized banks once they reached the amount of ₱500.00. According to respondent, however, he could not religiously comply with the circular because of the distance from his registry to the DBP and on account of the prevailing peace and order situation in Butuan City.

Respondent likewise explained that he issued receipts evidencing payment of registration fees before the fees were actually paid to help Butuan City registrants weather the adverse economic conditions wrought by the flood in August 1981. It was only after several months that the Registry of Deeds received the payment of the registration fees.

During the hearing of the case, Mr. Orlando Tulang, Accountant and Supervising Fiscal Examiner of the Bureau of Treasury, Region X, Cagayan de Oro City, testified that he did not make any further follow-up on the Simbajon letter because he found out that respondent had already remitted in full the amount of ₱71,100.00. Provincial Treasury Examiner Orlando Guibune also declared that his report concerning respondent's delayed remittances was merely based on the Monthly Report of National

Collections and Remittances for the month of August 1981 submitted to respondent. Said witness further stated that there was no actual examination on the records of respondent in the Registry of Deeds.

After due evaluation the NLTDRS Special Investigator found respondent to have failed to comply with the mandatory provisions of Finance Department Order No. 20-73, as implemented by LRC Memorandum, dated July 30, 1973, and as amended by COA and Finance Ministry Joint Circular No. 1-81 which required prompt remittance and/or deposit of registry collections with the National Treasury or with the authorized depository banks within the period prescribed therein. Apart therefrom, respondent was likewise found guilty of violation of Section 56 and III-C of Presidential Decree No. 1529 which required payment of the prescribed fees before any document might be entered and registered by the Register of Deeds. In view thereof, the Special Investigator recommended that respondent be fined in an amount equivalent to his twenty (20) days' salary.

In his letter to the Minister of Justice, dated March 14, 1983, the NLTDRS Acting Commissioner concurred fully with the above findings and recommendation.

Upon review, the Minister of Justice has expressed conformity with the findings of the office a quo but has disagreed as to the recommended penalty for not being in accord with Civil Service Commission Memorandum Circular No. 8, series of 1970. In lieu thereof, the Justice Minister recommends that a fine equivalent to respondent's salary for one (1) month and one (1) day be imposed on the latter, with the warning that commission of the same or similar offense in the future will be dealt with more severely.

After going over the records of the case, I agree with the foregoing findings and the recommendation of the Minister of Justice.

WHEREFORE, and as recommended by the Minister of Justice, a fine equivalent to his one (1) month and one (1) day's salary is hereby imposed on Register of Deeds Arturo P. Ricaforte of Butuan City with a warning that commission of the same or similar offense in the future will be dealt with more severely, effective upon receipt of a copy of this Order.

Done in the City of Manila, this 30th day of January, in the year of Our Lord, nineteen hundred and eighty-four.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **MANUEL M. LAZARO**
Presidential Assistant for Legal Affairs

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1984). [Administrative Order Nos.: 439 - 504]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 479

FINDING ATTY. FELICISIMO S. SANTIAGO, REGISTER OF DEEDS OF BUKIDNON, GUILTY OF NEGLIGENCE TO COMPLY WITH A LAWFUL OFFICE REGULATION AND IMPOSING ON HIM A FINE IN AN AMOUNT EQUIVALENT TO HIS SALARY FOR FIFTEEN (15) DAYS.

This has reference to the administrative complaint, dated May 10, 1979, filed by Acting Land Registration Commissioner against Atty. Felicisimo S. Santiago, Register of Deeds of Bukidnon, for violation of COA General Circular No. 130, dated June 16, 1975, requiring collecting officers to “deposit their collections with the nearest PNB, PVB, or DBP branch or agency weekly or at any time such collections reach ₱500.00, for the credit of the Treasurer of the Philippines”.

The auditing team found respondent to have accumulated his cash allocations in the amount of ₱95,515.05 for the period from May 29, 1978 to August 18, 1978 and he was charged accordingly. In his answer, dated January 24, 1983, respondent did not refute the charge. Moreover, he waived his right to a formal hearing and submitted his case on the basis of his answer. To justify his failure to comply, he cited the great volume of work in his office. He claimed that with only five personnel in his registry, it was difficult to make timely remittances of his collections. He likewise alleged his attendance of a ten-day seminar on Land Reform in Iloilo City in July 1978 and his going on a vacation and sick leave of absence before and after said seminar as reasons for his non-compliance. He further maintained that, during the period in question, his office and the depository bank ran out of remittance advice forms.

The investigator found that respondent did not willfully violate the regulation and, therefore, recommended that he be merely admonished and warned for such violation. This apparent leniency proceeded from the observation that respondent made the necessary remittances a day after his accounts were examined and that he did not incur any shortage in his accounts.

The Acting Land Registration Commissioner disagreed with the investigator’s proposed penalty and, instead, recommended that respondent be fined in an amount equivalent to his salary for fifteen (15) days. This recommendation was adopted by the Ministry of Justice for being just and fair under the circumstances.

An examination of the evidence on record readily COA Circular No. 130, dated June 16, 1975. As observed by the Acting Land Registration Commissioner, the respondent’s act of accumulating his cash collections, constitutes “a temptation to defalcation”, which is what the circular precisely seeks to guard against. With the failure to observe the mandate of the circular, respondent created a situation that unnecessarily placed government funds in jeopardy.

Indeed, such posture of the respondent, if not manifesting an utter disregard of a lawful order, betrays, at the very least, an attitude of indifference or neglect to comply with an office regulation. In the absence, however, of a clear showing that he has deliberately disregarded the circular, this Office is not inclined to impose too severe a penalty.

WHEREFORE, and as recommended by the Minister of Justice and the Acting Land Registration Commissioner, this Office hereby finds Felicisimo S. Santiago, Register of Deeds of Bukidnon, guilty of

neglect to comply with a lawful office regulation and, accordingly, fines him in an amount equivalent to his salary for fifteen (15) days with a warning that a repetition of the same or a similar offense will be treated more severely.

Done in the City of Manila this 31st day of January, in the year of Our Lord, nineteen hundred and eighty-four.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **MANUEL M. LAZARO**
Presidential Assistant for Legal Affairs

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1984). [*Administrative Order Nos.: 439 - 504*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 480
PENALIZING ERIBERTO C. POCPOC, JR. WITH FORCED RESIGNATION FROM OFFICE AS
STATE PROSECUTOR II IN THE MINISTRY OF JUSTICE WITH PREJUDICE
TO REINSTATEMENT

This is an administrative case filed by Isidoro Viray, Romeo Ortiz, Leonila de la Vega, Benjamin Estrella, Virgilio Garcia, Esperanza Miranda, Julian Bejerano, Mariano Tamondong, Florialinda Tamondong and Martin Pigganay against State Prosecutor Eriberto C. Pocpoc for alleged illegal recruitment. The charges were investigated by the Ministry of Justice.

The essence of the charge against respondent Pocpoc is his involvement in the illegal recruitment of the complainants for overseas employment, aggravated by his public position as State Prosecutor and member of the Task Force on Illegal Recruitment which was created by the Ministry of Justice to investigate and prosecute cases of illegal recruitment.

The complainants' evidence consist of their respective sworn letter-complaints, official receipts evidencing payment of placement fees, their oral testimonies at the investigation, and other documentary evidence. The complainants testified that Pocpoc was introduced to them as a Fiscal and business partner by a certain Mrs. Aurea Reyes of the Caprigem Placement and General Services Agency (CAPRIGEM); that such representation induced the complainants to apply with the firm for overseas employment and pay exorbitant fees, that Pocpoc himself received said fees from some of the complainants; that, on various occasions, Pocpoc was seen drinking brandy in the CAPRIGEM Office; that Pocpoc himself assured the complainants of work abroad; and that the complainants did not get the foreign job they were applying for and were not refunded the fees they paid.

Pocpoc denied all the acts imputed to him by the complainants. Among other things, he testified that he is merely a close friend of Mrs. Aurea Reyes; that he had no participation in the recruitment business; that he has not rendered any service to CAPRIGEM or to Mrs. Reyes or to any member of the Reyes family in connection with the recruitment business.

Pocpoc, however, did not present any witness to corroborate his testimony. Despite his earlier announcement that he would present Mrs. Aurea Reyes and a certain Mr. Sedusta of the Ministry of Labor and Employment, Pocpoc never presented his alleged witnesses.

After due investigation, the Minister of Justice ruled that all the circumstances "indubitably show respondent's connection with CAPRIGEM either as an actual business partner or one who merely lent his name, for some consideration or otherwise, to further the business interest of CAPRIGEM." The Minister of Justice added:

"In other words, even granting that respondent had no material interest in CAPRIGEM, by his actuations, as above described, respondent had made himself a willing party to a fraud. These are viewed as act of indiscretion unworthy of a member of the Ministry of Justice Task Force on Illegal Recruitment who

should be the most concerned in seeing to the proper implementation of the law.”
(Underscoring supplied).

For such transgression, the Ministry of Justice recommended the imposition upon Pocpoc of the administrative penalty of transfer to another station or place of assignment with the accessory penalty of disqualification for promotion for a period of six (6) months from the date Pocpoc reports to the new position or station.

After going over the records of the case, I agree with the Ministry of Justice that State Prosecutor Eriberto C. Pocpoc, Jr. has conducted himself in a manner prejudicial to the best interest of the public service, which constitutes a grave offense under paragraph III-A-13 of Civil Service Commission Memorandum Circular No. 8, Series of 1970.

Against the complainants’ positive testimonies, Pocpoc failed to present controverting evidence. He simply said that he did not know the complainants, and then he denied all their allegations against him. Mere denial cannot prevail over positive and direct testimonies (See: *U.S. vs. Bueno*, 41 Phil. 447, 452; *de Gala vs. Gala*, 42 Phil. 771, 780; *People vs. Cuachon*, 62 Phil. 966; *People vs. Gonzales*, 76 Phil. 473; *People vs. Borbano*, 76 Phil. 702; *People vs. Osi*, 85 Phil. 592; *People vs. Velayo*, 96 Phil. 973; *People vs. Bolivas*, 110 Phil. 372).

Under the shocking circumstances of this case, the penalty recommended by the Minister of Justice is too light. Considering that a State Prosecutor holds a very sensitive position in the Ministry of Justice, and if only to serve as a warning to others, the more appropriate penalty should be Forced Resignation with Prejudice to Reinstatement, in accordance with the Civil Service Law, rules and regulations. Indeed, for State Prosecutor Pocpoc to commit an offense which was tasked upon him to investigate and eradicate is such a gross and palpable misconduct as to warrant the severest penalty.

Verily, the position of a State Prosecutor is crucial to the public interest, to the country’s political system and to the people’s faith in their Government. Directly charged with deciding, investigating and prosecuting criminal cases, a State Prosecutor, by the nature of his Office, vividly personifies the Government as a dispenser of justice especially for the helpless and poor citizens. When he breaks the public duty reposed upon him, a State Prosecutor erodes the people’s trust in the administration of justice. Public service requires utmost integrity and the strictest discipline. For this reason, the people in their sovereign capacity have enshrined such tenet in the Constitution. “Public office is a public trust. Public officers and employees shall serve with the highest degree of responsibility, integrity, loyalty and efficiency, and shall remain accountable to the people” (Section 1, Article XIII, Constitution).

WHEREFORE, Eriberto C. Pocpoc, Jr. is hereby penalized with Forced Resignation from office as State Prosecutor II of the Ministry of Justice, effective upon receipt of this Administrative Order, with prejudice to reinstatement.

SO ORDERED.

DONE in the City of Manila, this 16th day of March, in the year of Our Lord, nineteen hundred and eighty-four.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) MANUEL M. LAZARO

Presidential Assistant for Legal Affairs

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1984). *[Administrative Order Nos.: 439 - 504]*. Manila: Malacañang Records Office.

OFFICE OF THE PRESIDENT OF THE PHILIPPINES
MALACAÑANG

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 481
CREATING A NATIONAL COMMITTEE TO TAKE CHARGE OF THE CELEBRATION OF
PHILIPPINE INDEPENDENCE DAY ON JUNE 12, 1984.

Pursuant to the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby create a national committee to take charge of the celebration of Philippine Independence Day on June 12, 1984.

The Committee shall be composed of the following:

The Minister of Education, Culture and Sports	Chairman
The Minister of the Budget	Vice-Chairman
The Director-General of Media Affairs	Member
The Deputy Minister of Public Works and Highways	Member
The Deputy Minister of Labor and Employment	Member
The Deputy Minister of National Defense	Member
The Deputy Minister of Local Governments	Member
The Deputy Minister of Tourism	Member
The Deputy Minister of Human Settlements	Member
The Deputy Minister of Transportation and Communications	Member
The Deputy Minister of Muslim Affairs	Member
The Vice-Governor of the Metro-Manila Commission	Member
The Mayor of Manila	Member
The Chairman of the National Historical Institute	Member
The Executive Director of the National Commission on the Role of Filipino Women	Member
The President of the Philippine Association of Colleges and Universities	Member
The President of the Civic Assembly of Women of the Philippines ...	Member
The Presidential Protocol Officer	Member-Secretary

The Committee shall meet at the call of the Chairman and for the purpose of discharging its functions, may create its sub-committees as may be necessary.

The Committee is hereby authorized to call upon any department, bureau, office, agency or instrumentality of the Government, including government-owned or controlled corporations, for such assistance as it may need in the discharge of its duties and functions.

Done in the City of Manila, this 4th day of May, in the year of Our Lord, nineteen hundred and eighty-four.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **JUAN C. TUVERA**
Presidential Executive Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1984). *[Administrative Order Nos.: 439 - 504]*. Manila: Malacañang Records Office.

MALACANANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 482
SUSPENDING MS. BIBIANA SARMIENTO FROM OFFICE AS ASSISTANT PROVINCIAL FISCAL
OF MISAMIS ORIENTAL.

This refers to the administrative complaint for bribery and violation of Presidential Decree No. 1045, filed by Clementino Raboy against Assistant Provincial Fiscal Bibiana Sarmiento of Misamis Oriental, in her capacity as former Acting Register of Deeds of Misamis Oriental.

Complainant Raboy claimed that he had been a janitor in the Registry of Deeds of Misamis Oriental, Cagayan de Oro City, since January 5, 1977. He further alleged that it was his friend, Genevic “Toto” Rivera, who brought the documents with fake documentary stamps to the then Acting Register of Deeds Sarmiento for registration. Subsequently, these documents were registered by Sarmiento, after receiving from Rivera on four different occasions the sums of ₱6,000.00, ₱5,000.00, ₱15,000.00 and ₱10,000.00. He also stated that, during all the four occasions when Rivera handed the money to respondent at the latter’s house at the Dolores Compound, Carmen, Cagayan de Oro City, complainant was in the company of Rivera.

The complainant likewise volunteered the information that respondent always scolded him, prompting the latter to report to the National Bureau of Investigation (NBI) the existence of the registered documents with fake documentary stamps. Consequently, a portion of said documents was taken by agents of the NBI for examination, and findings of the Bureau indicated that all the documentary stamps affixed to the documents in question “(were) not genuine”.

The respondent was further charged by complainant of having approved the registration of documents of the PN Roa Realty and PHIVIDEA with affixed documentary stamps worth about ₱1,000.00 and ₱3,000.00, even after the Office of the Register of Deeds had already received a copy of the circular containing the provisions of Presidential Decree No. 1045, withdrawing from circulation and declaring without value all existing documentary and science stamps in denominations of ten pesos and above, and requiring that:

“Sec. 2. Documentary or science stamps taxes of ten pesos or more shall be paid to any authorized personnel of the Bureau of Internal Revenue or to the tellers of any commercial bank, or to such other banks as may hereinafter be authorized to accept payment of internal revenue taxes, who shall issue the corresponding Official Receipts therefor.”

The respondent vehemently denied all the charges against her. She branded the complaint as a “fabricated imputation of a crime” designed to bring about her relief as Acting Register of Deeds so that the complainant and his cohorts could freely and easily pursue their illegal activity of selling fake documentary stamps to registrants. She likewise refuted the charge that in consideration of certain sums of money, she registered the subject documents. She declared categorically that she did not receive

a single centavo from anyone and that she did not know that the stamps affixed on the documents which she approved for registration were fake.

Furthermore, she explained that, during her incumbency as Acting Register of Deeds, she introduced certain changes in the Office, and, in the process, she incurred the ire of some of the employees therein. As a result, she claimed that these employees planned to get rid of her by filing an administrative complaint against her in 1981, which complaint however, was dismissed by the Ministry of Justice.

A judicious scrutiny of the evidence on record yields no credible and sufficient evidence to prove the bribery charge against respondent fiscal.

We do not lend credence to the complainant's allegation that he saw respondent receive from Rivera the sums of ₱6,000.00, ₱5,000.00, ₱15,000.00 and ₱10,000.00 on four different occasions at her house at the Dolores Compound. It is the undisputed testimony of the respondent that she and her family were not residing at their house at the Dolores Compound during the period when she allegedly received the said amounts of money, that is, in 1980, since the said house had been rented by a Korean family from 1980 until the second quarter of 1981. Instead, she and her family resided in a rented apartment owned by a certain Esteban Sarmiento.

Moreover, respondent fiscal would not have been so foolhardy and reckless as to repeatedly and imprudently receive bribe money from Rivera, in the presence of complainant, who is an employee of the Registry. Likewise, it is hard to believe that Rivera would give a total amount of ₱36,000.00 in bribe money, in the absence of evidence to show that a considerable amount of profit was gained from the unlawful business of buying and selling fake documentary stamps. Indeed, the oft-quoted aphorism that evidence, to be believed, must itself be credible and in conformity with the common experience and observation of mankind, is most relevant under the herein circumstances (People vs. Baquiran, 20 SCRA 451, 454; People vs. Alvarez, 55 SCRA 81, 89.)

There is convincing evidence to show, however, that respondent approved the registration of documents requiring documentary stamp taxes amounting to ₱10.00 or more, notwithstanding the provisions of Presidential Decree No. 1045, which were duly circularized to all Register of Deeds, through Land Registration Commission Circular No. 304, dated November 29, 1976. Her act of allowing the documentary stamps to be affixed to the documents, instead of requiring the registrants to pay the documentary stamp tax directly to the Bureau of Internal Revenue or to the authorized banks, constitutes a clear violation of Presidential Decree No. 1045. Needless to say, non-compliance with the mandate of this Presidential issuance resulted in heavy revenue losses to the government. Thus, the foregoing circumstances constrain this Office to hold respondent administratively liable.

Premises considered, and as recommended by the Minister of Justice, Assistant Provincial Fiscal Bibiana Sarmiento is hereby found guilty of violating Presidential Decree No. 1045 and is accordingly suspended without pay for one (1) month and further warned that a repetition of the same or similar offense will be dealt with more severely.

Done in the City of Manila this 28th day of May, in the year of Our Lord, nineteen hundred and eighty-four.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **MANUEL M. LAZARO**
Presidential Assistant for Legal Affairs

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1984). *[Administrative Order Nos.: 439 - 504]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 483
DISMISSING ATTY. CELESTINO B. BRUA FROM OFFICE AS REGISTER OF DEEDS OF
TAGBILARAN CITY.

This refers to the administrative case against Atty. Celestino B. Brua, Register of Deeds of Tagbilaran City, for gross neglect of duty/negligence and grave misconduct. The case was formally investigated by Atty. Josefina Montañer of the Land Registration Commission (now National Land Titles and Deeds Administration).

The case stemmed from the report, dated December 15, 1981, of the Land Registration Commission Inventory team, which conducted an inventory of the land titles and other records of the Registry of Deeds of Tagbilaran City. The report disclosed 350 certificates of titles missing in the files of said registry, double or irregular issuances of land titles, and circumstances showing respondent's failure to adopt and implement necessary measures in the safekeeping of land titles and records under his custody.

On the basis thereof, respondent was formally charged by the Acting Land Registration Commissioner on December 18, 1981, with gross neglect of duty/negligence and grave misconduct. Respondent received a copy of the formal charge on March 3, 1982. He did not, however submit his answer thereto. The formal investigation/hearing of the case was thus set on March 21 and 23, 1982. The scheduled hearings were postponed at the instance of respondent. To forestall further delays, the Investigator proceeded to receive evidence *ex parte* on April 11 and 13, 1983.

The members of the LRC Inventory team composed of Reynaldo Vergara, Rolando Torres and Miguel Escarda were presented as witnesses. They testified that they conducted an inventory of the land records of the Registry of Deeds of Tagbilaran City and discovered 350 land titles missing in the files of said registry, 213 of which were transfer certificates and 137 original certificates of title. They likewise unearthed irregularities and/or duplications in the issuances of land titles, particularly involving TCT No. T-20814, TCT No. T-9460, TCT No. T-21778; TCT No. T-21779 and TCT No. T-9742. In the case of TCT No. T-9360, the name of the owner therein was cancelled without the benefit of a deed of transfer or alienation. The testimonies of the three witnesses concerning the double issuances of land titles were corroborated by Bienvenida Sarce, Register of Deeds of Bohol and concurrently Acting Register of Deeds of Tagbilaran City.

In her investigation report, dated July 1, 1983, submitted to the Acting Land Registration Commissioner, the Investigator found respondent guilty as charged and recommended that he be dismissed from the service, which was concurred in by the Acting Land Registration Commissioner.

The Minister of Justice likewise concurred in the aforesaid findings and recommendation.

After a careful review of the case, I find respondent guilty of (1) gross neglect of duty for failure to exercise proper supervision in the keeping and custody of his registration books and to adopt the necessary measures for their security and preservation, which resulted in the loss of 350 certificates of titles; and (2) grave misconduct for the double issuances of land titles involving TCT No. T-20814, TCT No. T-9360, TCT No. T-21778, TCT No. T-21779 and TCT No. T-9742.

The foregoing clearly shows that respondent is unfit to remain in the government service.

WHEREFORE, and as recommended by the Minister of Justice and the Acting Land Registration Commissioner and the Investigator, Atty. Celestino B. Brua is hereby dismissed from the service as Register of Deeds of Tagbilaran City, effective upon his receipt of a copy of this Order.

Done in the City of Manila, this 28th day of May, in the year of Our Lord, nineteen hundred and eighty-four.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:

(Sgd.) **MANUEL M. LAZARO**

Presidential Assistant for Legal Affairs

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1984). *[Administrative Order Nos.: 439 - 504]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 484
SUSPENDING ATTY. ROBUSTIANO B. PADAYHAG FROM OFFICE AS REGISTER OF DEEDS
OF ILIGAN CITY FOR TWO (2) MONTHS WITHOUT PAY.

This is an administrative case filed by the Land Registration Commission (now National Land Titles and Deeds Registration Administration) against Register of Deeds Robustiano Padayhag of Iligan City for alleged grave misconduct/dishonesty and violation of reasonable office regulations. The charges were investigated by Atty. Benjamin A. Flestado of the Inspection and Investigation Division, said Commission, pursuant to the Assignment Order, dated July 2, 1981, of the Acting Land Registration Commissioner.

The case was the offshoot of the letter of the Acting Chairman on Audit, dated October 23, 1980, to the Commissioner of Land Registration recommending that respondent Robustiano Padayhag be relieved of his duties as Register of Deeds of Iligan City and that administrative action be taken against respondent pursuant to Presidential Decree (P.D.) No. 807. In the same communication, the Acting Chairman on Audit likewise urged the relief of and the filing of appropriate charges against Mrs. Marietta Mijares, Senior Clerk in the same Registry.

It appears that in recommending the taking of the above measures, the Acting Chairman on Audit was prompted by the Report of Examination, dated October 11, 1980, of the Officer-in-Charge, City Auditor's Office, Iligan City, showing that respondent had incurred a shortage of ₱109,959.83 following the audit of his cash and accounts for the period from March 1, 1979 to August 7, 1980. In addition to the cash shortage, the following irregularities in the office of the Iligan City Registry of Deeds were unearthed by the audit team: (1) collections were not remitted regularly; (2) transactions were not recorded daily in the Cashbook; (3) collections were not posted daily in the records of collections; (4) records of collections and remittances were not being submitted regularly; (5) official receipts were not properly issued for collections and in numerical sequence; (6) respondent did not reconcile his cashbook balance with cash at the close of the day; (7) cashbook was not certified by respondent; (8) respondent had no close supervision over his Senior Cash Clerk; and (9) respondent did not report to office regularly.

In his answer, dated December 12, 1980, respondent vehemently denied the charges against him and manifested that he was electing a formal investigation. By way of explanation, respondent averred that (a) it was the Senior Cash Clerk of the Registry, Antonietta Gimena, who was discharging the cash and collection duties of the Registry since 1977, in compliance with the Iligan City Auditor's directive, dated August 8, 1976; (b) it was also the Senior Cash Clerk who performed during the said period such allied duties as remittances, recording of daily transactions and reconciliation of cash book balances with actual cash pursuant to the Iligan City Auditor's directive, dated August 30, 1976; (c) the submission of reports to the regional auditor was the duty of the City Auditor to whom the Registry's records of collection were regularly submitted; and (d) due to lack of official receipt forms, he had to issue provisional receipts with the consent of the transacting public, which receipts were replaced as soon as the regular receipts were available.

During the formal investigation of the case, Mr. Honorio Pablico, Assistant Auditor of Iligan City, testified that on August 7, 1980, he conducted an audit examination of the cash and accounts of the Register of Deeds of Iligan City wherein he discovered a cash shortage of ₱119,329.83, later reduced to ₱109,959.83. Said witness further declared that although the Registry had no Collecting Clerk but only a Senior Cash Clerk in the person of Marietta Mijares who performed the duties of collecting clerk, respondent Register of Deeds remained as the accountable officer under Section 102 of P.D. No. 1445 to whom the former was directly responsible.

Antonietta Gimena, Special Deputy Register of Deeds of Iligan City, also testified that she was the Senior Cash Clerk of the Registry from 1977 to February 1978, but she turned over the responsibilities of collecting clerk to Marietta Mijares on March 1, 1978, after the latter's appointment as Senior Cash Clerk. She affirmed that respondent had nothing to do with the registry collections and that Marietta Mijares was the collecting officer during the period of audit examination from March 1, 1979, to August 7, 1980.

For her part, Marietta Mijares declared that she became Registry Senior Cash Clerk in March 1978, and was such during the audit period from March 1, 1979, to August 7, 1980. Moreover, she stated that she went on leave of absence sometime in July or August 1979 and reported back for work in October 1979. She claimed, however, that from October 1979 to July 23, 1980, she never handled registry collections.

Respondent reiterated his explanations as contained in his letter-answer, dated December 12, 1980. Respondent laid particular emphasis on the twin directives of the City Auditor of Iligan City, dated August 8 and 30, 1976, directing the turnover of all collections to the Registry's Senior Cash Clerk, Antonietta Gimena, and ordering respondent to designate her to collect and remit daily the collections of the Registry, respectively. The two directives were carried out in the memorandum of Commissioner Gregorio Bilog, Jr., of the Land Registration Commission, dated March 23, 1977, decreeing the relief of respondent as collecting officer and his replacement by Gimena. However, Gimena was subsequently promoted to the position of Special Deputy Register of Deeds and thus it was Marietta Mijares who acted as Registry Collecting Officer during the period of audit in question. Hence, respondent maintained that it was Mijares who actually had custody of and was responsible for the missing funds.

Based on the testimonial and documentary evidences presented, the investigating officer found no sufficient evidence to sustain the charge of grave misconduct against respondent. However, for failure to exercise close and proper supervision over his Senior Cash Clerk, Marietta Mijares, respondent was adjudged guilty of negligence in the performance of his duties. Accordingly, the investigating officer recommended that respondent be suspended for one (1) month without pay.

The Land Registration Commissioner concurs with the above findings and recommendation, but the Minister of Justice disagrees as to the proposed penalty and instead recommends that respondent be suspended from office for a period of two (2) months without pay and warned that commission of the same or similar offense in the future will be dealt with more severely.

I agree with the Minister of Justice. In this regard, Section 102 of Presidential Decree No. 1445, otherwise known as "the Government Auditing Code of the Philippines," provides:

"SECTION 102. Primary and Secondary Responsibility.- (1) The head of any agency of the government is immediately and primarily responsible for all government funds and property pertaining to his agency.

"(2) Persons entrusted with the possession or custody of the funds or property under the agency head shall be immediately responsible to him, without prejudice to the liability of either party to the government."

While it may be true that respondent during the aforementioned period of audit did not have actual custody and control of the registry collections by reason of the memorandum, dated March 23, 1977, of the Land Registration Commissioner, relieving him of his duties as Collection Officer, the undeniable fact remains that respondent continued to exercise supervision over the Registry's Senior Cash Clerk. Thus, respondent, together with Senior Cash Clerk Marietta Mijares signed the deposit slips to the City Treasurer's Office and their withdrawal, albeit the actual depositing and withdrawing were done by Mijares.

The above-quoted legal provision makes it indubitably clear that respondent's responsibility as Register of Deeds towards Registry funds is inextricably intertwined with that of his Senior Cash Clerk. Such responsibility demanded that the former closely supervise the activities of the latter. Respondent dismally failed in this regard, as evidenced by the occurrence of the cash shortage in his Registry. Brushing aside the Auditor's demand letters concerning the discrepancies in his cash and accounts, respondent simply passed them over to his Senior Cash Clerk without undertaking any sincere effort to monitor or find out what action if any, his subordinate was taking thereon.

WHEREFORE, and as recommended by the Minister of Justice, Atty. Robustiano Padayhag is hereby suspended from office as Register of Deeds of Iligan City for two (2) months without pay, effective upon his receipt of a copy of this Order, and warned that commission of the same or similar offense in the future will be dealt with more severely.

Done in the City of Manila, this 28th day of May, in the year of Our Lord, nineteen hundred and eighty-four.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:

(Sgd.) **MANUEL M. LAZARO**

Presidential Assistant for Legal Affairs

Source: Malacañang Records Office

Office of the President of the Philippines. (1984). *[Administrative Order Nos.: 439 - 504]*. Manila: Malacañang Records Office.

Source: Presidential Management Staff

Office of the President of the Philippines. (1984). *[Administrative Order Nos.: 439 - 504]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 485

DISMISSING MR. FRANCISCO A. RAFIL FROM THE SERVICE AS REGISTER OF DEEDS OF AGUSAN DEL NORTE AND ACTING REGISTER OF DEEDS OF AGUSAN DEL SUR.

This is an administrative case filed by the Acting Commissioner of the Land Registration Commission (now National Land Titles and Deeds Registration Administration) against Mr. Francisco A. Rafil, Register of Deeds of Agusan del Norte and concurrently Acting Register of Deeds of Agusan del Sur, for alleged grave misconduct/dishonesty and violation of reasonable office regulations. The charges were investigated by Atty. Benjamin Flestado of the Inspection and Investigation Division, said Commission.

The case arose from the two letters of then Acting Land Registration Commissioner Federico B. Alfonso, Jr., dated October 19, 1981, and November 19, 1981, respectively, charging respondent as follows:

(I) That as Acting Register of Deeds of Agusan del Sur, respondent (a) incurred a shortage of ₱18,065.88 in his collections for the period from August 26 to December 5, 1980, and failed to produce said funds upon demands made by the Provincial Auditors of Agusan del Sur and Agusan del Norte; (b) failed to carry forward ending balances as the balance of cash on hand at the beginning of the succeeding month in the Registry Cash Books, in violation of Section 36 of the National Accounting and Auditing Manual; (c) did not deposit regularly registry collections with the nearest authorized bank, in violation of COA General Circular No. 130 dated June 16, 1975, which requires collection officers of national funds to deposit their collections with the nearest PNB, PVB, or DBP branch or agency weekly or at anytime such collections reach ₱500.00; and (d) did not submit promptly the record of collections and remittances to the Regional Auditor concerned for audit and certification, in violation of COA Circular No. 78-78 dated March 7, 1978 (LRC Circular No. 344 dated August 28, 1978) and

(II) That as Register of Deeds of Agusan del Norte, respondent incurred a shortage of ₱16,708.17 in his collections covering the period from September 1 to 25, 1981, and failed to produce said funds upon demands made by the Provincial Auditors of Agusan del Norte and Agusan del Sur.

In his answer, dated December 17, 1981, respondent did not deny the existence of the shortages in the two Registries. With regard to Specification I, respondent alleged that during the audit examination, the amount of ₱18,065.88 was not in the safe of the Agusan del Sur Registry but was kept by him in the safe of the Agusan del Norte Registry for security reasons. According to respondent, not only the regular Agusan del Sur Register of Deeds, but also the Deputy Register of Deeds, and possibly the cash clerk who absconded with some ₱14,000.00, knew the combination of the safe. Respondent further

averred that the deteriorating peace and order condition in the two Agusan provinces prevented him from making a regular deposit of his collections with the nearest branch of the Philippine National Bank (PNB) in San Francisco, Agusan del Sur. Shortly after the audit examination, respondent added, floods destroyed the major road arteries in the two provinces, thereby rendering more difficult travel from Agusan del Norte to Agusan del Sur and vice-versa. Thus, he maintained that his non-compliance with the Commission on Audit (COA) regulations were not of his own volition.

Anent Specification II, respondent claimed that he did not misappropriate the shortage of ₱16,708.17. Elucidating thereon, respondent stated that, before the audit examination he was assured by Arturo Bermoy, whom he designated as vaultkeeper in the Agusan del Norte Registry, that everything was alright and that he (Bermoy) was ready for audit anytime. However, during the audit examination, Bermoy was nowhere to be found and thereafter failed to show up in the office.

As his main defense, respondent stressed that he had already restituted the shortages in both Registries.

In the ensuing formal investigation of the case, Domingo Quiambao, former COA Auditing Examiner in Agusan del Sur, testified that upon instructions of then Provincial Auditor Dionisio Omboy, he and Columba Amparador, Auditing Examiner II, conducted an audit examination of the cash and accounts of respondent and Deputy Register of Deeds Lorenzo de los Reyes covering the period from August 26 to December 5, 1980. Said witness stated that, during the said period, De los Reyes acted as Collecting Clerk, while respondent handled the registry cash collections. Quiambao further declared that, although both were using a common safe, De los Reyes was able to account for all his collections, but respondent could not do so and was in fact found short of ₱18,065.88.

For his part, respondent presented Assistant Fiscal Glaudio A. Nistal of Agusan del Norte who corroborated the former's allegations as to the state of lawlessness in and the calamity that struck the Agusan provinces. Respondent admitted, however, that he was able to remit the shortage of ₱18,065.88 only several months after the same was incurred. Moreover, respondent declared that he never deposited for safekeeping his collections in the Agusan del Sur Registry but merely kept them in his residence in Butuan City.

Concerning the shortage in the Agusan del Norte Registry Domingo Quiambao affirmed that respondent had fully remitted as of October 23, 1981, the sum of ₱16,708.17 representing the shortage incurred by the latter for the period from September 1 to 25, 1981. On the other hand, respondent sought to shift the blame for the shortage to his vaultkeeper, Arturo Bermoy. When asked why he allowed Bermoy to retain a large amount of collections in his possession, respondent explained that "we have no adding machine and we have to rely on handwriting and sometimes it takes days to have the accurate amount of collections determined." Further, respondent attributed his failure to remit the registry collections on time to his concurrent assignment as Acting Register of Deeds of Agusan del Sur.

After due evaluation, the investigating officer found respondent guilty of the charges. Regarding Specification I, the investigating officer opined that respondent could, as he should, have deposited the registry collections in some safer place in the locality or made an arrangement with the military authorities or the PNB for proper assistance in remitting his registry collections. He also found as preposterous respondent allegation that he had to bring his registry collections to Agusan del Norte and keep them in his house only to bring them back later to Agusan del Sur for alleged deposit and remittance.

With regard to Specification II, the investigating officer ruled that respondent's liability was not the least altered by the fact that Bermoy retained in his possession the unremitted amount of ₱16,708.17. In the investigating officer's judgment respondent assumed the risk when he designated Bermoy, who was occupying the unqualified position of vaultkeeper, as collection officer despite the

presence of a duly appointed Registry Service Cash Clerk in the person of Evangeline Dulanias. Thus, respondent had to bear the brunt of responsibility for Bermoy's act.

Considering, however, the well-nigh impossible and exceedingly difficult tasks respondent had to discharge simultaneously as Register of Deeds of Agusan del Norte and Acting Register of Deeds of Agusan del Sur, coupled with the fact that he was eventually able to make good the shortages, the investigating officer recommended that respondent be merely suspended from office for four (4) months without pay.

In his letter to the Minister of Justice, dated May 25, 1983, the Acting Commissioner of Land Registration took exception to the proposed penalty and instead recommended respondent's dismissal from the service. The Justice Minister concurs with the said recommendation.

After going over the records of the case, I agree with the Minister of Justice that respondent deserves a more severe penalty. As accountable officer, respondent has failed to exercise the due diligence expected of him as custodian of public funds and, hence, has evinced his untrustworthiness to remain in the service. What is more, his failure to produce, upon demand, the funds for which he is accountable renders him liable for which he should be penalized accordingly.

Wherefore, and as recommended by the Minister of Justice, Mr. Francisco A. Rafil is hereby dismissed from the service as Register of Deeds of Agusan del Norte and as Acting Register of Deeds of Agusan del Sur, effective upon his receipt of a copy of this Order.

Done in the City of Manila this 28th day of May, in the year of Our Lord, nineteen hundred and eighty-four.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **MANUEL M. LAZARO**
Presidential Assistant for Legal Affairs

Reference: Administrative Order No. 485

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1984). *[Administrative Order Nos.: 439 - 504]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

ADMINISTRATIVE ORDER NO. 486
IMPOSING A FINE ON MR. JULIO B. REVELO, REGISTER OF DEEDS OF GINGOOG CITY,
IN AN AMOUNT EQUIVALENT TO HIS SALARY FOR FIFTEEN (15) DAYS.

This is an administrative case initiated by the Land Registration Commissioner against Julio B. Revelo, Register of Deeds, Gingoog City, for “violation of the Anti-Graft Act and falsification of document.”

Records show that in a deed of sale dated October 25, 1969, Felix Adran sold two parcels of land to respondent for ₱6,000. However, upon its registration, the purchase price as appearing in the deed of sale was altered to ₱2,000 thereby resulting in the reduction of the registration fee and documentary stamps for registering the sale from ₱55.00 to only ₱23.50.

Confronted with the charges, respondent submitted a written answer denying the same and claiming that he had no reason to alter the purchase price, since he had a standing agreement with Mr. Adran for the latter to pay all the registration expenses. According to him, it was Mr. Adran who personally attended to the registration of the subject document. Respondent further averred that the alteration was the handiwork of an employee of his registry who has since been dismissed for dishonesty.

In the formal investigation which was opted by the respondent, he substantially repeated the contents of his written answer.

After a review of the records, I fail to find any iota of evidence which would sustain a verdict of guilt against respondent on the charges that he allegedly altered the Adran deed of sale. I am more inclined to give weight to his allegations that it was Felix Adran who was going to shoulder all the expenses for the registration of the deed of sale. Considering further that respondent has been in the service for sixteen (16) years, I believe that it is unthinkable that he would risk a smear on his career for a measly amount of ₱31.50, the difference in the registration fees.

However, respondent is not totally free from blame. His failure to check the amount of registration fees and documentary stamps paid by Adran for the registration of the document before issuing the corresponding certificate of title constitutes negligence on his part. I do not have to stress that his position as well as his delicate duties demand of him a certain degree of diligence which must not be, at any time, overlooked.

WHEREFORE, Mr. Julio B. Revelo is hereby found guilty of simple negligence and fined in an amount equivalent to his salary for fifteen (15) days. He is also hereby warned that a repetition of the same or similar offense will be dealt with more severely.

Done in the City of Manila, this 21th day of July, in the year of Our Lord, nineteen hundred and eighty-four.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **JUAN C. TUVERA**
Presidential Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1984). *[Administrative Order Nos.: 439 - 504]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 487
CREATING A REVIEW COMMITTEE TO EVALUATE THE CASES OF PERSONS ARRESTED
AND/OR DETAINED BY VIRTUE OF A PREVENTIVE DETENTION ACTION OR ANY OF
ITS DERIVATIVES

Conformably with Section 4 of Presidential Decree No. 1877, as amended, a Review Committee is hereby created to evaluate the cases of persons arrested and/or detained by virtue of a Preventive Detention Action (PDA) or any of its derivatives, and to recommend to the President of the Philippines whether the detainee(s) involved shall be released or further detained, and/or whether or not the corresponding information should be filed in court.

The Review Committee shall be composed of the following:

The Minister of National Defense or his duly authorized representative	– Chairman
Brig. Gen. Catalino B. Villanueva, Jr. AFP	– Vice-Chairman
Atty. Victor S. Andrada, Office of the Presidential Assistant for Legal Affairs	– Member

The Presidential Executive Assistant shall establish a Secretariat which shall, among others, take charge of referring cases to the Review Committee. The Presidential Executive Assistant shall be authorized to detail any personnel from any government office to assist the Review Committee for the purposes of this Administrative Order.

This Administrative Order shall be without prejudice to the power and authority of the President of the Philippines to motu proprio order the release or further detention of the detainee(s) involved and/or to direct the filing of the corresponding information against such detainee(s) in the proper court.

This Administrative Order supersedes Administrative Order Nos. 467 and 468.

Done in the City of Manila, this 23rd day of July, in the year of Our Lord nineteen hundred and eighty-four.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) JUAN C. TUVERA
Presidential Executive Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1984). *[Administrative Order Nos.: 439 - 504]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 488
CREATING A REVIEW COMMITTEE TO EVALUATE THE CASES OF PERSONS ARRESTED
AND/OR DETAINED BY VIRTUE OF A PREVENTIVE DETENTION ACTION OR ANY
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Conformably with Section 4 of Presidential Decree No. 1877, as amended, a Review Committee is hereby created to evaluate the cases of persons arrested and/or detained by virtue of a Preventive Detention Action (PDA) or any of its derivatives, and to recommend to the President of the Philippines whether the detainee(s) involved shall be released or further detained, and/or whether or not the corresponding information should be filed in court.

The Review Committee shall be composed of the following:

- | | |
|--|-----------------|
| The Minister of National Defense or his duly authorized representative | – Chairman |
| Brig. Gen. Rodolfo Ecarma, AFP | – Vice-Chairman |
| Col. Alfredo P. Callanta, Presidential Assistant for Legal Affairs | – Member |

The Presidential Executive Assistant shall establish a Secretariat which shall, among others, take charge of referring cases to the Review Committee. The Presidential Executive Assistant shall be authorized to detail any personnel from any government office to assist the Review Committee for the purposes of this Administrative Order.

This Administrative Order shall be without prejudice to the power and authority of the President of the Philippines to motu proprio order the release or further detention of the detainee(s) involved and/or to direct the filing of the corresponding information against such detainee(s) in the proper court.

This Administrative Order supersedes Administrative Order Nos. 467 and 468.

Done in the City of Manila, this 23rd day of July, in the year of Our Lord nineteen hundred and eighty-four.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **JUAN C. TUVERA**
Presidential Executive Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1984). *[Administrative Order Nos.: 439 - 504]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 489

**CREATING A REVIEW COMMITTEE TO EVALUATE THE CASES OF PERSONS ARRESTED
AND/OR DETAINED BY VIRTUE OF A PREVENTIVE DETENTION ACTION OR ANY OF ITS
DERIVATIVES**

Conformably with Section 4 of Presidential Decree No. 1877, as amended, a Review Committee is hereby created to evaluate the cases of persons arrested and/or detained by virtue of a Preventive Detention Action (PDA) or any of its derivatives, and to recommend to the President of the Philippines whether the detainee(s) involved shall be released or further detained, and/or whether or not the corresponding information should be filed in court.

The Review Committee shall be composed of the following:

The Minister of National Defense or his duly authorized representative	– Chairman
The Chief of Staff, AFP, or his duly authorized representative	– Vice-Chairman
A representative from the Ministry of Justice	– Member

The Presidential Executive Assistant shall establish a Secretariat which shall, among others, take charge of referring cases to the Review Committee. The Presidential Executive Assistant shall be authorized to detail any personnel from any government office to assist the Review Committee for the purposes of this Administrative Order.

This Administrative Order shall be without prejudice to the power and authority of the President of the Philippines to motu proprio order the release or further detention of the detainee(s) involved and/or to direct the filing of the corresponding information against such detainee(s) in the proper court.

This Administrative Order supersedes Administrative Order Nos. 467 and 468.

Done in the City of Manila, this 23rd day of July, in the year of Our Lord nineteen hundred and eighty-four.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) JUAN C. TUVERA

Presidential Executive Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1984). *[Administrative Order Nos.: 439 - 504]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 490
ASSIGNING, TRANSFERRING AND CONVEYING IN FEE SIMPLE TO THE CULTURAL
CENTER OF THE PHILIPPINES CERTAIN PARCELS OF LAND OF THE PUBLIC DOMAIN
SITUATED IN THE CITY OF PASAY.

WHEREAS, pursuant to Presidential Decree No. 15, dated October 5, 1972, a body corporate known as the Cultural Center of the Philippines, hereinafter referred to as the Center, has been created for certain purposes, among which is “to construct, establish and maintain in a single site a national theater, a national music hall, an art gallery and such other buildings and facilities as are necessary or desirable for the holding of conferences, seminars, concerts and the like;”

WHEREAS, to carry out these purposes, there has been granted to the Center pursuant to Presidential Decree No. 15 certain parcels of land of the public domain situated in the Cities of Pasay and Manila, titles to which have already been issued in favor of the Center;

WHEREAS, it has since become increasingly necessary and desirable that additional areas be conveyed and titled to the Center in order that it could effectively and fully carry out the purposes and objectives for which it has been created; and

WHEREAS, another two (2) parcels of land situated in the City of Pasay and adjacent to the area granted to the Center under Presidential Decree No. 15 have been surveyed as expansion site of the Cultural Center of the Philippines and the Philippine International Convention Center.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution of the Philippines do hereby decree as follows:

SECTION 1. The title to and ownership of that certain parcels of land of the public domain situated in the City of Pasay, which are more particularly described below, is hereby assigned, transferred and conveyed in fee simple to the Cultural Center of the Philippines:

Lot 41
Swo-04-000505
Cultural Center of the Philippines and
Philippine International Convention Center

A PARCEL OF LAND (Lot 41 of plan Swo-04-000505, L.R.C. Record No.), situated in the City of Manila and Pasay, Island of Luzon. Bounded on the NE., & NW., along lines 1 to 3 by Lot 19 (parking space) of plan Swo-04-000505; on the NE., along lines 3 to 5 by Road; on the SE., along lines 5-6 by Lot 30 (Phil. Plaza Hotel) of plan Swo-04-000505; on the SW., along line 6-7 by Break Water (Manila Bay); and on the NW., along line 7-1 by Lot 42 of plan Swo-04-000505. Beginning at a point marked “1” on the plan being, S. 63 deg. 12’ W., 1248.44 m. from CEM No. 2, Manila Cadastre;

thence S. 21 deg. 17' E.,	39.59 m. to point 2;
thence N. 60 deg. 27' E.,	113.72 m. to point 3;
thence N. 75 deg. 34' E.,	7.15 m. to point 4;
thence S. 84 deg. 54' E.,	71.99 m. to point 5;
thence S. 60 deg. 27' W.,	177.94 m. to point 6;
thence N. 18 deg. 17' W.,	52.13 m. to point 7;
thence N. 63 deg. 51' E.,	48.74 m. to point of

beginning; containing an area of THREE THOUSAND FIVE HUNDRED NINETY ONE (3,591) SQUARE METERS. All points referred to are indicated on the plan and are marked on the ground by Old "X" on Boulder 1 m. wide; bearings true. This lot was surveyed in accordance with law and existing regulations promulgated thereunder, by Felipe R. Venenzuela, Geodetic Engineer, on January 3-31, 1970 and approved on March 16, 1979.

Lot 42

Swo-04-000505

Cultural Center of the Philippines and
Philippine International Convention Center

A PARCEL OF LAND (Lot 42, Swo-04-000505 L.R.C. Record No.), situated in the City of Manila and Pasay, Island of Luzon. Bounded on the SE., along line 1-2 by Lot 41, Swo-04-000505 (Parking Space); on the SW., & NW., along lines 2-3-4 by Break Water (Manila Bay); and on the NE., along line 4-1 by Lot 18, Swo-04-000505 (Proposed swimming pool). Beginning at a point marked "I" on the plan being S. 63 deg. 12' W., 1248.44 m. from CBM No. 2, Manila Cadastre;

thence S. 63 deg. 51' W.,	48.74 m. to point 2;
thence N. 18 deg. 10' W.,	226.39 m. to point 3;
thence N. 65 deg. 18' E.,	36.23 m. to point 4;
thence S. 21 deg. 17' E.,	224.03 m. to the point of

beginning; containing an area of NINE THOUSAND FIVE HUNDRED SIXTEEN (9,516) SQUARE METERS. All points referred to are indicated on the plan and are marked on the ground "X" marked on Conc. Pavement, except point 4 by Old Wooden Post (25 cm. deam.); bearings true. This lot was surveyed in accordance with law and existing regulations promulgated thereunder, by Felipe R. Venenzuela, Geodetic Engineer on January 3-31, 1979 and approved on March 16, 1979.

SEC. 2. The lands herein granted as well as all improvements thereon and all other properties of the Center shall, after payment of obligations, revert to the Government of the Philippines when and if the Center ceases to exist.

SEC. 3. This order shall take effect immediately.

Done in the City of Manila, this 30th day of October, in the year of Our Lord, nineteen hundred and eighty-four.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **MANUEL M. LAZARO**
Presidential Assistant for Legal Affairs

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1984). *[Administrative Order Nos.: 439 - 504]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 491
CREATING THE SPECIAL RIZAL DAY COMMEMORATION COMMITTEE.

By virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, in order to ensure the successful commemoration throughout the Philippines of this year's death anniversary of Dr. Jose Rizal on December 30, 1984, do hereby create a special committee to take charge of all arrangements for the activities composed of the following:

The Minister of Education, Culture and Sports.....	Chairman
The Deputy Minister of National Defense	Vice-Chairman
The Director General of the Office of Media Affairs	Member
The Deputy Minister of Public Works and Highways	Member
The Deputy Minister of Trade and Industry	Member
The Deputy Minister of Local Governments	Member
The Deputy Minister of Tourism.....	Member
The Deputy Minister of the Budget.....	Member
The Mayor of Manila	Member
The Chairman of the National Historical Institute	Member
The Executive Director of the National Commission on the Role of Filipino Women	Member
The President of the Civic Assembly of Women of the Philippines ...	Member
The Supreme Commander of the Knights of Rizal	Member
The Vice-Chairman of the National Parks Development Committee	Member
The Assistant Presidential Protocol Officer	Member-Secretary

The Committee shall meet at the call of the Chairman and, for the purpose of discharging its functions, may create such sub-committees as may be necessary.

The Committee is hereby authorized to call upon any Ministry, Bureau, Office, Agency or instrumentality of the government, including government-owned or controlled corporations, for such assistance as it may need in discharging its duties and functions.

Done in the City of Manila, this 15th day of December, in the year of Our Lord, nineteen hundred and eighty-four.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) JUAN C. TUVERA
Presidential Executive Committee

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1984). *[Administrative Order Nos.: 439 - 504]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 492
CREATING AN EXECUTIVE COMMITTEE TO TAKE CHARGE OF THE PLANNING
AND EXECUTION OF COMMEMORATIVE ACTIVITIES FOR THE ARAW NG
KAGITINGAN CELEBRATION

WHEREAS, Letter of Instruction No. 1087 declared May 6, every year as Araw ng Kagitingan to enable the Filipino people to reminisce the heroic deeds of our brave and illustrious Filipinos; and

WHEREAS, it is fitting and proper to commemorate this heroism of our people with appropriate activities to impress upon our citizenry the valor and sacrifices of those who fought and died during our struggle for freedom and democracy;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby constitute and created an Executive Committee to formulate and devise ways and means for the successful execution of appropriate activities for the commemoration of Araw ng Kagitingan. The Committee shall be composed of the following:

The Chief of Staff Armed Forces of the Philippines	– Chairman
The Deputy Minister Ministry of Tourism	– Co-Chairman
The Deputy Chief of Staff Armed Forces of the Philippines	– Vice-Chairman
The Assistant Minister for Planning and Design Ministry of Public Works and Highways	– Member
The Administrator Philippine Veterans Affairs Office	– Member
The Chairman National Historical Institute	– Member
The General Manager Philippine Tourism Authority	– Member
The Special Assistant on Veterans Affairs Ministry of National Defense	– Member
The Director Bureau of Local Government Supervision Ministry of Local Government	– Member
The President Veterans Federation of the Philippines	– Member
The National Commander Defenders of Bataan and Corregidor	– Member

The Director	–	Member
National Media Production Center		
The Commanding General	–	Member
Philippine Army		
The Chief PC/Director General, INP	–	Member
Philippine Constabulary		
The Commanding General	–	Member
Philippine Air Force		
The Flag-Officer-In-Command	–	Member
Philippine Navy		
The Commanding General	–	Member
Presidential Security Command		
The Commanding General	–	Member
Civil Relations Service, AFP		
The National Commander	–	Member
AFP National Reservists Associations, Inc.		
The Chief	–	Member/Secretary
Military Shrines Service, PVAO		

The Committee is hereby authorized to call upon any ministry, bureau, office, agency or instrumentality of the Government for such assistance as it may need in the discharge of its duties and functions.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

Done in the City of Manila this 19th day of April, in the year of Our Lord nineteen hundred and eighty-five.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **JUAN C. TUVERA**
Presidential Executive Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1985). *[Administrative Order Nos.: 439 - 504]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 493
SUSPENDING FOR ONE MONTH WITHOUT PAY FOURTH ASSISTANT PROVINCIAL FISCAL
PABLITO D. PACHECO OF NUEVA ECIIJA.

This refers to the sworn administrative complaint by Ernesto and Gloria Lahom, through counsel, against 4th Assistant Provincial Fiscal Pablito D. Pacheco of Nueva Ecija, for dereliction of duty, bias and interest.

Sometime in June 1982, Ernesto Lahom filed with the Office of the Provincial Fiscal of Nueva Ecija a criminal complaint for robbery against Mariano Francisco et al. (SD-46-82); while his wife, Gloria, filed in the same office, in October 1983, a criminal complaint for estafa/illegal recruitment against Engr. Alexander Ramos et al. (SD-30-83).

After preliminary investigations of the two complaints, respondent fiscal, on 3 November 1983, resolved to dismiss the charge of estafa/illegal recruitment, but was able to resolve the charge of robbery only on 1 December 1983, though the same had been submitted for resolution as early as October 1982.

We cannot accept respondent's excuse that the pressure of his work as Prosecuting Fiscal in the Regional Trial Court, Branch XXXVII, of Baloc, Sto. Domingo, Nueva Ecija, and as Trial Fiscal in the Municipal Trial Courts of Muñoz, Talavera and Sto. Domingo, all in Nueva Ecija, contributed to the delay in resolving the robbery case (SD-46-82). There is no showing that he was really present and actively participated in all the corresponding proceedings in these various courts, from June 1982 until the robbery case was finally resolved on 1 December 1983. Nor is there clear proof that there were many cases assigned to him for investigation to suggest that he was indeed flooded with work.

Respondent's excuse in this regard consists merely of general averments, devoid of evidentiary support. Hence, it is just a conclusion of fact, which has no probative force (*Wassmer v. Velez*, 13 SCRA 279, 280-81 [1965]). See also: *Estrella v. Zamora*, 5 Phil. 415, 417 (1905); *Cortes v. Co Bun Kim*, 90 Phil. 167, 170 (1951); *Vaswani v. X. Tarachand Bros.*, 110 Phil. 521, 527 (1960).

Moreover, complainants' repeated entreaties on him, to act on the case, should have stirred him to do so immediately. Section 1 (d) of Republic Act No. 5180, as amended, requires respondent to resolve it in ten days after the preliminary investigation is terminated. His failure to act for more than one year following the submission of the robbery case for resolution in October 1982 is indefensible and violative of the maxim to administer justice expeditiously.

On the other hand, no clear proof of ill motive or improper consideration has been presented, which could have tempted respondent to be unfair to Gloria Lahom, regarding her complaint for estafa/illegal recruitment (SD-30-83). Respondent's resolution thereon, as approved by the Provincial Fiscal, analyzes somewhat reasonably the evidences of the parties and there is nothing therein which can be taken as basis for the accusation of bias and interest.

The Minister of Justice recommends the suspension of respondent for thirty days, without pay.

WHEREFORE, premises considered, and as recommended by the Minister of Justice, 4th Assistant Provincial Fiscal Pablito D. Pacheco of Nueva Ecija is hereby **SUSPENDED** for thirty (30) days without

pay, for dereliction of duty, with the warning that the commission of the same or similar offense will be dealt with more severely.

DONE in the City of Manila, this 24th day of April, in the year of Our Lord, nineteen hundred eighty-five.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **MANUEL M. LAZARO**
Presidential Assistant for Legal Affairs

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1985). *[Administrative Orders Nos.: 439 - 504]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 494
SUSPENDING ASSISTANT CITY FISCAL SANTIAGO MALATE FROM OFFICE FOR THREE (3)
MONTHS WITHOUT PAY.

After examining the records of the present case, I agree with the following findings of the Minister of Justice:

“Investigation of this case disclosed that at about 4:00 o’clock in the afternoon of July 23, 1982, while complainant Liwanag Pastoral was eating “mami” at the DN Restaurant on San Miguel Street, Iriga City, preparatory to attending his law classes at the University of Northeastern Philippines, respondent Santiago Malate and his companions Senior Trial Attorney Eulogio Prima and Atty. Ricardo Martinez arrived, occupied a table, and ordered beer which was served to them by waiter Gerardo Escano. Later, respondent Malate and his companions invited complainant to join them. They told complainant not to attend his classes that night, for they themselves, being instructors of complainant, had lost interest in teaching law in that school. Complainant obliged, taking a seat between respondent Malate on his right side and Eulogio Prima on his left side. A heavy downpour prolonged their stay in the DN Restaurant until about 8:00 o’clock p.m., during which time, more beer, thirty-six (36) bottles in all, was ordered. Complainant himself drank three bottles of beer. However, their conversation did not fare very well when it drifted into recollections of previous administrative complaints lodged by complainant against respondent Santiago Malate, and of the latter’s adverse resolution in the case filed by Merly Ong against complainant.

“It appears that at this stage the beer they had drunk set afire their personal animosities. Respondent in a bellicose mood, poured with his right hand the contents of a bottle full of beer on the stomach of complainant, struck the latter’s head and eyebrow with the bottle which broke, and a fragment thereof hit a son of the restaurant owner.” (Letter dated 4 April 1984 of the Minister of Justice to the President of the Philippines)

Respondent has raised the following defenses:

1. That it was complainant who allegedly joined respondent and his companions without being invited, partook of their side dish of fried chicken, and talked aloud about his (complainant) having lost in the Merly Ong case;
2. That complainant was then cautioned by Senior Trial Attorney Eulogio Prima to tone down his voice;

3. That complainant, evidently incensed, then splashed a glass of beer on Prima's face; and
4. That thereafter complainant hurriedly left and then came back with a bolo with which he hacked respondent and his companions.

I agree with the Minister of Justice in his conclusion that the foregoing defenses of respondent are incredible. Considering the moral ascendancy of respondent over complainant, their relationship being that between law instructor and student, respectively, in the University of Northeastern Philippines, it is hard to believe that complainant would have the temerity to join respondent and his companions without being invited.

Respondent's behavior, as established in the aforecited findings, particularly his pouring beer on complainant's stomach and striking the latter's head and eyebrow with a beer bottle without sufficient justifications constitutes misconduct, unbecoming of respondent in his capacity as Assistant City Fiscal.

WHEREFORE, and as recommended by the Minister of Justice, Third Assistant City Fiscal Santiago Malate of Iriga City is hereby suspended for three (3) months without pay, effective upon his receipt of a copy of this Administrative Order, with a warning that a repetition of the same offense will be dealt with more severely.

Done in the City of Manila, this 24th day of April, in the year of Our Lord, nineteen hundred and eighty-five.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **MANUEL M. LAZARO**
Presidential Assistant for Legal Affairs

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1985). [*Administrative Order Nos.: 439 - 504*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 495

DISMISSING FROM THE SERVICE ACTING SECOND ASSISTANT CITY FISCAL LAURO G. SORIANO, JR., OF QUEZON CITY WITH FORFEITURE OF ALL BENEFITS DUE HIM.

On 21 March 1983, Lauro G. Soriano, Jr., Acting 2nd Assistant Fiscal of Quezon City, while investigating the case of Mariannee Z. Lacambara v. Thomas N. Tan (I.S. No. 82-2964) for theft, demanded from Tan ₱4,000.00 as consideration for dismissing the case.

Tan reported the matter to the National Bureau of Investigation (NBI) for assistance. Since Tan had difficulty in raising the amount demanded, the NBI marked only ₱2,000.00 to represent one-half thereof. The authorities caught Soriano flagrante delicto, receiving from Tan said ₱2,000.00. An information was filed against Soriano before the Sandiganbayan (Crim. Case No. 7393) and, after trial, he was found guilty as charged.

Soriano filed a petition for review with the Supreme Court. However, in its decision (G.R. No. 65952, dated 31 July 1984), the Supreme Court found him guilty of bribery as defined and penalized under Article 210 of the Revised Penal Code.

Sinco Soriano was appointed to his present position in an acting capacity, he may be removed immediately therefrom, even without cause and without previous notice or trial before his peers. See: Castro v. Solidum, 97 Phil. 278, 280-81 (1955); Cuadra v. Cordova, 103 Phil. 391, 394 (1958); Pinullar v. President of the Senate, 104 Phil. 131, 134-35 (1958); Roque v. President of the Senate, 104 Phil. 1047, 1048 (1958); Villanose v. Alera, 101 Phil. 1230 (1957); Quitquit v. Villacorta, 107 Phil. 1060, 1064 (1960); Cuñado v. Gamus, 8 SCRA 77, 84 (1963); Jimenea v. Guanzon, 22 SCRA 224, 229 (1968); Santos v. Chico, 25 SCRA 343, 345-46 (1968); Baraňgan v. Hernando, 27 SCRA 239, 242-43 (1969); Esquillo v. Subido, 29 SCRA 31, 33-34 (1969); Mendiola v. Tancinco, 52 SCRA 66, 71 (1973).

The Minister of Justice recommends Soriano's dismissal.

A fiscal occupies a position that is one of the most crucial in the public service. Directly facing victims as well as perpetrators of crimes, he, by the nature of his office, personifies the sovereign powers of the state and becomes a custodian of justice and compassion. When he breaks the public trust reposed upon him, the adverse impact of his perversity on the effectiveness of government and on the people's confidence in it is beyond the capacity of any language to fully express.

WHEREFORE, premises considered, and as recommended by the Minister of Justice, Second Assistant Fiscal Lauro G. Soriano, Jr., of Quezon City is hereby DISMISSED from the service with forfeiture of all benefits, effective upon his receipt of a copy this Administrative Order.

DONE in the City of Manila, this 24th day of April, in the year of Our Lord, nineteen hundred and eighty-five.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **MANUEL M. LAZARO**
Presidential Assistant for Legal Affairs

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1985). *[Administrative Order Nos.: 439 - 504]*. Manila: Malacañang Records Office.

OFFICE OF THE PRESIDENT OF THE PHILIPPINES
MALACANANG

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 496
CREATING A NATIONAL COMMITTEE TO TAKE CHARGE OF THE CELEBRATION OF
PHILIPPINE INDEPENDENCE DAY ON JUNE 12, 1985.

Pursuant to the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby create a national committee to take charge of the celebration of Philippines Independence Day on June 12, 1985.

The Committee shall be composed of the following:

The Minister of Education, Culture and Sports	Chairman
The Minister of the Budget	Vice-Chairman
The Director-General of Media Affairs	Member
The Deputy Minister of Public Works/Highways	Member
The Deputy Minister of Labor and Employment	Member
The Deputy Minister of National Defense	Member
The Deputy Minister of Local Governments	Member
The Deputy Minister of Tourism	Member
The Deputy Minister of Human Settlements	Member
The Deputy Minister of Transportation and Communications	Member
The Deputy Minister of Muslim Affairs	Member
The Vice-Governor of the Metro-Manila Commission	Member
The Mayor of Manila	Member
The Chairman of the National Historical Institute	Member
The Executive Director of the National Commission on the Role of Filipino Women	Member
The President of the Philippine Association of Colleges and Universities	Member
The President of the Civic Assembly of Women of the Philippines ...	Member
The Presidential Protocol Officer	Member-Secretary

The Committee shall meet at the call of the Chairman and for the purpose of discharging its functions, may create its sub-committees as may be necessary.

The Committee is hereby authorized to call upon any department, bureau, office, agency or instrumentality of the Government, including government-owned or controlled corporations, for such assistance as it may need in the discharge of its duties and functions.

Done in the City of Manila, this 8th day of May, in the year of Our Lord, nineteen hundred and eighty-five.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **JUAN C. TUVERA**
Presidential Executive Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1985). *[Administrative Order Nos.: 439 - 504]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 497

**AUTHORIZING THE IMPERIAL INSURANCE, INC., UPON THE REINSTATEMENT AND
RESTORATION OF THE ADMINISTRATIVE ORDER, TO BECOME A SURETY UPON
OFFICIAL RECOGNIZANCES, STIPULATIONS, BONDS AND UNDERTAKINGS.**

WHEREAS, Section 1 of Act No. 536, as amended by Act No. 2206, provides that whenever any recognizances, stipulations, bonds or undertakings conditioned or the faithful performance of any duty or of any contract made with any public authority national, provincial, municipal or otherwise or of any undertaking, or for doing or refraining from doing anything in such recognizances, stipulations, bonds or undertakings specified in by the laws of the Philippines, or by the regulations or resolutions of any public authority therein, required or permitted to be given with one surety or with two or more sureties, the execution of the name or the guaranteeing of the performance of the condition thereof shall be sufficient when executed or guaranteed solely by incorporation organized under the laws of the Philippines, having power to guarantee the fidelity of persons holding positions of public and private trust and to execute and guarantee bonds or undertakings in judicial proceedings and to agree to the faithful performance of any contract or undertaking made with any public authority;

WHEREAS, said section further provides that no head of department, court, judge, officer, board or body, whether executive, legislative or judicial, shall approve or accept any corporation as surety on any recognizance, stipulation, bond, contract or undertaking unless such corporation has been authorized to do business in the Philippines in accordance with the provisions of said Act No. 536, as amended, nor unless such corporation has, by contract with the government of the Philippines, been authorized to become a surety upon official recognizances, stipulations, bonds and undertakings and;

WHEREAS, the IMPERIAL INSURANCE, INC., is a domestic corporation organized and existing under the laws of the Republic of the Philippines and fulfills and complies with the conditions prescribed by said Act 536, as amended;

NOW THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby authorize the IMPERIAL INSURANCE, INC., to become a surety upon official recognizances, stipulations, bonds and undertakings in such manner and in such conditions as provided by law, subject to the condition that the total amount of Immigration bond that it may issue shall not, at any time, exceed the admitted assets.

Done in the City of Manila, this 11th day of May, in the year of our Lord, nineteen hundred and eighty-five.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) JUAN C. TUVERA
Presidential Executive Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1985). *[Administrative Order Nos.: 439 - 504]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

ADMINISTRATIVE ORDER NO. 498
PROVIDING ADDITIONAL MEASURES TO REDUCE GOVERNMENT EXPENDITURES FOR
ITS OPERATIONS ABROAD

WHEREAS, Letter of Implementation No. 146 dated February 7, 1984, Letter of Instruction No. 1408 dated May 9, 1984, Executive Order No. 956 dated June 6, 1984 and Executive Order No. 957 dated August 1, 1984 mandate stricter economy measures in government;

WHEREAS, the current level of government finances is not adequate to meet, among others, the foreign exchange requirements to maintain the present operation of existing foreign service posts, including attache services provided by various ministries/agencies and the sending of delegates and representatives abroad to participate in seminars, meetings or conferences;

WHEREAS, the activities of the Foreign Service and the attache services must be further rationalized to increase their effectiveness at lower costs;

WHEREAS, there is an urgent need to reduce government expenditures in line with the national recovery program;

NOW, THEREFORE, I FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order the following:

A. Ministry of Foreign Affairs

1. The Ministry of Foreign Affairs shall close within six months from the date of this Order the following posts:
 - a. Philippine Consulate General, New Orleans
 - b. Philippine Consulate General, Melbourne
 - c. Philippine Consulate General, Winnipeg
 - d. Philippine Mission, European Communities
 - e. Philippine Mission, UNESCO

Personnel assigned to the posts mentioned above shall be recalled to the Home Office. Those personnel whose services in any of the above post is less than four years at the time of their recall shall be given priority in assignment to posts needing additional personnel.

2. The Ministry of Foreign Affairs shall recall immediately to the Home Office employees who have served eight consecutive years or more in the foreign service and excess personnel, from among others, the Philippine Embassy, Washington, D.C., Philippine Mission to the United Nations in New York, and the Philippine Consulates General in Chicago, Seattle, San Francisco and Los Angeles and other over-staffed posts within three months from the date of this Order.
3. The Ministry of Foreign Affairs shall effect the periodic rotation of foreign service officers and recall clerical and other support personnel to the Home Office without assigning replacements to fill their posts. Local hiring of clerical staff on casual or contractual basis

shall instead be encouraged to enable the government to save on expense items involving overseas and transportation allowances of support personnel.

4. The Ministry of Foreign Affairs shall further reduce by twenty-five (25%) percentum the allowance provided for under Section 3 of Ministry of Foreign Affairs Order No. 7-84, covering expenditures for shipment of household goods, personal effects and motor vehicles of foreign service personnel, including military or civil attaches or representatives.
5. The Ministries of Foreign Affairs and Finance shall limit the grant of tax exemption for motor vehicles brought in by returning foreign service personnel and attache or representative irrespective of rank, to vehicles with engine displacement not exceeding 1800 cc which must have been used by and registered in the name of the returning officer or employee for at least two years prior to his last date of service abroad.

B. Service Attaches

1. The urgency of reviewing the proliferation of service attaches abroad is herewith emphasized. Until otherwise instructed, only the following ministries/agencies shall be authorized to field and maintain the following maximum number of attaches and support staff:

	<u>Attaches</u>	<u>Support Staff</u>
a. Ministry of Agriculture and Food	2	1
b. Ministry of Tourism (to include the Philippine Convention Bureau	14	14
c. Ministry of Labor and Employment (to include the Philippine Overseas Employment Administration)	17	1
d. Office of Media Affairs (to include the National Media Production Center	20	2
e. Ministry of Trade and Industry	24	6
f. Ministry of National Defense	11	18
g. Ministry of Finance	2	2
Bureau of Internal Revenue	1	2
h. National Science and Technology Authority	2	0
TOTAL	93	46

The Ministries/Agencies affected by this provision shall cause the recall of their representatives within six months from the date of this Order.

2. The foreign service personnel of the Ministry of Foreign Affairs shall perform the duties of the attaches or representatives in various posts where there are no assigned attache or representative.
3. No contractual or casual employee serving as attache shall be accredited by the Ministry of Foreign Affairs as regular foreign service employees.
4. Except for the Ministry of Labor and Employment which is authorized to hold office in Jeddah, Riyadh and Damman and the Ministry of Tourism which is authorized to hold office in Frankfurt, Federal Republic of Germany and Osaka, Japan, all other attaches and support staff shall hold office only at the embassy or consulate where they are assigned.

The Ministry of Foreign Affairs shall provide the necessary office space requirements in the embassy or consulate for all duly appointed attaches or support staff.

C. International Conferences and Commitments

1. The Ministry of Foreign Affairs shall review Philippine participation in various international meetings, seminars or conferences and shall recommend Philippine participation in such international gatherings to the Office of the President in consultation with the concerned Ministry/Agency.
2. Ministry/Agency participation in international meetings, seminars or conferences shall be limited to the minimum.
3. As a matter of procedure, Ministries/Agencies should seek clearance from the Ministry of Foreign Affairs and the Office of Budget and Management before making any commitments or pledges of a financial nature in international meetings, even if such amount is already within the budget of the concerned Ministry/Agency to insure that funds are available to meet the proposed Philippine commitment.
4. Whenever feasible, instead of sending government representatives from Manila to attend international meetings or conferences, the Ministry of Foreign Affairs in consultation with the concerned Ministry or Agency shall designate qualified or technically competent foreign service personnel in overseas posts to attend such meetings or conferences as representatives of the Philippine government and shall require the designated representative to submit a report to the Minister of Foreign Affairs fifteen (15) days after the closing of the meeting or conference.

D. Inter-Agency Committee. – An Inter-Agency Committee shall be constituted and chaired by the Office of the Prime Minister to periodically review the operations of government abroad, ensure the strict implementation of this Order and render regular reports to the Cabinet and the President.

E. Effectivity. – This Order shall take effect immediately.

Done in the City of Manila, this 25th day of June, in the year of Our Lord, Nineteen Hundred and Eighty Five.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **JUAN C. TIVERA**
Presidential Executive Assistant

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1985). *[Administrative Orders Nos.: 439 - 504]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 499
CREATING A SPECIAL PANEL TO INVESTIGATE CASES INVOLVING KILLINGS AND
DISAPPEARANCE OF MEMBERS OF MEDIA

Conformably with pertinent laws, a Special PANEL is hereby created to look into, and investigate cases of, killings and disappearance of members of media for the purpose of prosecuting persons who may be found responsible therefor.

The Special Panel shall be composed of the following:

The Inspector General, AFP
The Judge Advocate General, AFP
The Assistant Chief of Staff for Intelligence, AFP

The Special Panel shall be assisted by one (1) representative each from the Office of the Presidential Assistant on Military Affairs, this Office, and the Investigation and Legal Panel, PSC and appropriate investigation and prosecution personnel of the Ministry of Justice. In addition, the Panel is empowered to call upon any other government office or agency to assist it in its assigned task.

The Panel shall submit to the President, within one (1) week from date, a plan of action. Thereafter, it shall render to the President, thru the Office of the Presidential Assistant on Military Affairs, periodic reports on its investigation and findings.

Done in the City of Manila, this 1st day of September, in the year of Our Lord, nineteen hundred and eighty-five.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) JUAN C. TUVERA
Presidential Executive Assistant

Source: Malacañang Records Office

Office of the President of the Philippines. (1985). *[Administrative Order Nos.: 439 - 504]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 500

AVAILING OF THE SERVICES OF JUSTICE JUAN A. SISON DURING THE PERIOD OF HIS
AUTHORIZED LEAVE TO ACT AS ACTING CHAIRMAN AND CHIEF EXECUTIVE OFFICER
OF THE MOVIE AND TELEVISION REVIEW AND CLASSIFICATION BOARD

WHEREAS, the Board of Review for Motion Pictures and Television was abolished in response to the clamor of the movie industry and the public, as well as to rationalize, strengthen and revitalize said industry as an instrument to achieve the national economic recovery, safeguard the moral and spiritual well-being of the citizens and to improve and develop the industry;

WHEREAS, Justice A. Sison, a former Chief State Prosecutor and Chief Prosecutor of the Judge Advocate General's Office and now an Associate Justice of the Intermediate Appellate Court, has shown not only competence and integrity but also tenacity to uphold the rule of law, is now on leave from the Intermediate Appellate Court;

NOW, THEREFORE, in the interest of public service, Justice Juan A. Sison of the Intermediate Appellate Court is hereby designated Acting Chairman and Chief Executive Officer of the Movie and Television Review and Classification Board until another shall have been appointed to the position.

Considering that Justice Juan A. Sison is on leave from the Intermediate Appellate Court and therefore temporarily relieved from any and all judicial duties but will be performing the functions and duties of Acting Chairman and Chief Executive Officer of the Movie and Television Review and Classification Board until such time as another shall have been appointed to the position he shall continue to receive salaries, emoluments and other allowances from the Intermediate Appellate Court and shall maintain his seniority in the Judiciary.

Done in the City of Manila, this 23rd day of October, in the year of Our Lord nineteen hundred and eighty-five.

(Sgd.) **FERDINAND E. MARCOS**

By the President:
(Sgd.) **JUAN C. TUVERA**
Presidential Executive Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1985). *[Administrative Order Nos.: 439 - 504]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

ADMINISTRATIVE ORDER NO. 501
CREATING A BOARD OF GENERALS AND COLONELS TO STUDY THE REORGANIZATION
OF THE AFP AND FOR OTHER PURPOSES

Conformably with the Constitution and pertinent laws, a Board of Generals and Colonels is hereby created to study the revitalization of the AFP and the development of the PHIVIDEC into a multinational and to make appropriate recommendations therefor to the President.

The Board of Generals and Colonels shall be composed of the following:

GENERAL ERNESTO S MATA (Ret)
former SND and CSAFP
GENERAL FABIAN C VER AFP
CSAFP
LT GEN MANUEL F CABAL (Ret)
former CSAFP
LT GEN FIDEL V RAMOS AFP
VCSAFP and Chief of Constabulary/
Director General, INP
Maj. General Prospero Olivas
BGEN MARIANO ORDONEZ (Ret)
President, Association of Generals and
Flag Officers (AGFO)
BGEN REYNALDO MENDOZA (Ret)
former Superintendent, PMA
COMMO SERAPIO C MARTILLANO AFP
The Deputy Chief of Staff, AFP
MGEN JOSEPHUS Q RAMAS AFP
Commanding General, PA
MGEN VICENTE M PICCIO JR AFP
Commanding General, PAF
RADM SIMEON M ALEJANDRO AFP
Flag Officer In-Command, PN
BGEN JOSE MA CARLOS L ZUMEL AFP
Superintendent, PMA
COL EUGENIO A OCAMPO JR PC (GSC)
Commanding Officer, MCMTC
COL CESAR L GO PAF (GSC)
National Defense College of the Philippines
COL ALEXANDER P AGUIRRE PC
ACofS for Operations, C3, PC

COL RODOLFO C BIAZON PN(M) (GSC)
CO, 3rd Marine Brigade
BGEN FELICISIMO R AMANO AFP
Commandant, AFPCGSC

The Board shall act as an advisory body to the Commander-in-Chief on policy matters affecting the organization and management of military resources.

The Board shall be chaired by the most ranking member in the active military service. It shall meet at the call of the Chairman or by at least one half of the members then and, for the purpose of discharging its functions, may create such committees as may be necessary.

The Board is hereby authorized to call upon any Ministry, Bureau, Office, Agency or instrumentality of the government including government-owned or controlled corporations, for such assistance as it may need in discharging its duties and functions.

The Commandant, AFPCGSC shall establish a Secretariat to provide staff assistance to the Board, making available the research facilities and support services of the AFPCGSC for the purpose.

Upon completion of the study and the submission of final recommendations to the Commander-in-Chief, the Chief of Staff, AFP may retain the counsel of the Board to complement the functions of existing staffs and offices of the AFP. Should the services of the Board be subsequently deemed no longer necessary, the Chairman shall recommend its deactivation.

Done in the City of Manila, this 3rd day of December, in the year of Our Lord, nineteen hundred and eighty-five.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) JUAN C. TUVERA
Presidential Executive Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1985). *[Administrative Order Nos.: 439 - 504]*. Manila: Malacañang Records Office.

OFFICE OF THE PRESIDENT OF THE PHILIPPINES
MALACAÑANG

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 502
CREATING THE SPECIAL RIZAL DAY COMMEMORATION COMMITTEE.

By virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, in order to ensure the successful commemoration throughout the Philippines of this year's death anniversary of Dr. Jose Rizal on December 30, 1985, do hereby create a special committee to take charge of all arrangements for the activities composed of the following:

The Minister of Education, Culture and Sports	Chairman
The Deputy Minister of National Defense	Vice-Chairman
The Director General of the Office of Media Affairs	Member
The Deputy Minister of Public Works and Highways	Member
The Deputy Minister of Trade and Industry	Member
The Deputy Minister of Local Governments	Member
The Deputy Minister of Tourism	Member
The Deputy Minister of the Budget	Member
The Mayor of Manila	Member
The Chairman of the National Historical Institute	Member
The Executive Director of the National Commission on the Role of Women	Member
The President of the Civic Assembly of Women of the Philippines	Member
The Supreme Commander of the Knights of Rizal	Member
The Vice-Chairman of the National Parks Development Committee	Member
The Assistant Presidential Protocol Officer	Member-Secretary

The Committee shall meet at the call of the Chairman and for the purpose of discharging its functions, may create such sub-committees as may be necessary.

The Committee is hereby authorized to call upon any ministry, bureau, office, agency or instrumentality of the government, including government-owned or controlled corporations, for such assistance as it may need in discharging its duties and functions.

Done in the City of Manila, this 5th day of December, in the year of Our Lord, nineteen hundred and eighty-five.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **JUAN C. TUVERA**
Presidential Executive Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1985). *[Administrative Order Nos.: 439 - 504]*. Manila: Malacañang Records Office.

OFFICE OF THE PRESIDENT OF THE PHILIPPINES
MALACAÑANG

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 503

ASSIGNING, TRANSFERRING AND CONVEYING IN FEE SIMPLE TO THE NATIONAL HOUSING AUTHORITY PARCELS OF LAND OF THE PUBLIC DOMAIN, SITUATED IN THE CITY OF MANILA.

WHEREAS, pursuant to Presidential Decree No. 757 dated July 31, 1975, the National Housing Authority is mandated to undertake the physical and socio-economic upgrading and development of the Tondo Foreshore Development Project, the technical boundaries of which are defined in LOI No. 299 dated July 29, 1975;

WHEREAS, the Tondo Foreshore Development Project and its periphery have been upgraded and developed, thereby demonstrating the total concept of communal living in an integrated community;

WHEREAS, in the course of upgrading and development of the project, certain parcels of public land which are adjacent thereto, happen to be included in and made part of the project components, the improvement and development of which had been undertaken by the National Housing Authority with funding assistance from the World Bank;

WHEREAS, the National Housing Authority has caused the boundary and subdivision survey of said parcels of public land, the survey returns of which shall be submitted to the Bureau of Lands for approval.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order and decree as follows:

SECTION 1. The title to and ownership of certain parcels of land of the public domain, situated in the District of Tondo, City of Manila, bounded on the NE., and SE., along lines 1-47, by Varona St., along lines 47-48 by Perla St., along lines 48-58, by Sta. Maria St., along lines 58-110 by Cad. 13, Manila Cadastre and Claro M. Recto; on the W., along lines 110-531-1 by SWO-04-000879. Beginning at a point marked "1" on plan being N. 31 deg. 07'W., 1521.94 m. from B.L.L.M. No. 7, Cad. 13, Manila Cadastre; containing an area of ONE HUNDRED FIFTY FIVE THOUSAND TWO HUNDRED FORTY FOUR (155,244) SQUARE METERS, more particularly described in the technical description consisting of fourteen (14) pages and attached as Annex "A" hereof is hereby assigned, transferred and conveyed in fee simple to the National Housing Authority for disposition and sale to their bonafide occupants.

SECTION 2. The above-described parcels of land of the public domain shall form part of the Tondo Foreshore Dagat-Dagatan Urban Development Project owned by the National Housing Authority and the rights and obligations of the project beneficiaries therein shall be governed by PD No. 1314 promulgated on March 20, 1978.

SECTION 3. The parcels of land herein granted shall be subject to private rights, if any there be.

SECTION 4. This Order shall take effect immediately.

DONE in the City of Manila, this 31st day of December, in the year of Our Lord, nineteen hundred and eighty-five.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **JOAQUIN T. VENUS, JR.**
Deputy Presidential Executive Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1985). *[Administrative Order Nos.: 439 - 504]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

ADMINISTRATIVE ORDER NO. 504

**LIFTING OF THE BAN ON THE ACCEPTANCE AND PROCESSING OF APPLICATIONS FOR
PUBLIC LANDS IN BAGUIO CITY, CREATING A COMMITTEE TO SCREEN AND EVALUATE
ALL SUCH PUBLIC LAND APPLICATIONS AND FOR OTHER PURPOSES**

Pursuant to a memorandum of December 18, 1976, the then Secretary of Natural Resources was directed to conduct an investigation of allegedly irregular acquisition of “National Lands” in the City of Baguio and to suspend the awards of such lands. The investigation as directed having already been conducted and the report thereon submitted, I hereby lift the said suspension and authorize the acceptance, processing and issuance of awards and patents to lands covered by public land applications in the said City. All such applications, however, shall be screened and evaluated by a Committee which is hereby created composed of the Presidential Executive Assistant or his authorized representative, as Chairman, and the Director of Lands and the City Mayor of Baguio as Members, to:

- a) determine the suitability of the area applied for the purpose for which the same is intended, including the qualifications and capability of the applicants to underwrite the project and to put the said land into beneficial use, to preclude the acquisition of such lands by speculators;
- b) grant clearance to all public land application in the City of Baguio;
- c) monitor compliance by applicants with all legal requirements regarding construction of the improvements appropriate for the purpose for which the land has been applied for, including payment of the purchase price and all other legal fees.

The Ministry of Natural Resources and the Bureau of Lands shall accept and process public land applications in Baguio only upon prior clearance from the Committee.

The Committee is hereby authorized to create a Secretariat which will assist it in the performance of its duties.

The Members of the Committee and the Secretariat are hereby also authorized to receive reasonable monthly transportation and representation allowances in the performance of their respective duties, chargeable against the appropriation of their respective agencies.

This Order is issued in the public interest and shall take effect immediately.

Done in the City of Manila, this 1st day of February, in the year of Our Lord, nineteen hundred and eighty-six.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **JOAQUIN T. VENUS, JR.**
Deputy Presidential Executive Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1986). *[Administrative Order Nos.: 439 - 504]*. Manila: Malacañang Records Office.



President Ferdinand E. Marcos addresses the crowd during the 1967 Bataan Day.

